

By Mr. HARRELD: A bill (H. R. 13710) granting an increase of pension to Catherine F. Edsall; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 13711) granting an increase of pension to John Wood; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 13712) granting a pension to Margaret Williams; to the Committee on Pensions.

By Mr. McANDREWS: A bill (H. R. 13713) granting a pension to Anna Burke; to the Committee on Pensions.

By Mr. RANDALL of Wisconsin: A bill (H. R. 13714) to refund certain duties paid by the Nash Motors Co.; to the Committee on Claims.

Also, a bill (H. R. 13715) granting a pension to John Gust Pearson; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 13716) granting an increase of pension to Louisa White Spurgeon; to the Committee on Pensions.

By Mr. ROWE: A bill (H. R. 13717) to reimburse the Midwood Park Property Owners' Association; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 13718) granting a pension to Ubert C. Ricker; to the Committee on Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 13719) for the appointment of William Edward Tidwell as first lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. TAGUE: A bill (H. R. 13720) granting a pension to Pierre Reidt; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13721) granting a pension to Edward Ellis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3087. By Mr. ASHBROOK: Petition of Raymond D. Austin Post, No. 115, American Legion, of Delaware, Ohio, urging favorable legislation on bonus for soldiers; to the Committee on Ways and Means.

3088. By Mr. DALLINGER: Petition of International Association of Machinists, Boston Lodge, No. 264, urging the necessity of granting immediate amnesty to all prisoners whose religious, political, or economic beliefs form the basis of their prosecution, trial, and imprisonment; to the Committee on the Judiciary.

3089. By Mr. DARROW: Petition of L. M. Passarello and 18 other residents of Philadelphia, Pa., in behalf of the Sterling-Lehbach civil-service retirement bill; to the Committee on Reform in the Civil Service.

3090. Also, petition of Philadelphia Chamber of Commerce, in behalf of appropriations for the Weather Bureau; to the Committee on Appropriations.

3091. Also, petition of Prince-Forbes Post, No. 7, the American Legion, of Philadelphia, Pa., in support of the fourfold plan of bonus legislation; to the Committee on Ways and Means.

3092. By Mr. ESCH: Petition of the National Association of Box Manufacturers, Chicago, Ill., urging that the present excess-profits tax be abandoned, etc.; to the Committee on Ways and Means.

3093. By Mr. FULLER of Illinois: Petition of the National Lock Co. and the Fyrac Manufacturing Co., of Rockford, Ill., opposing House bill 12976; to the Committee on Ways and Means.

3094. Also, petition of J. D. Hollingshead & Co., Chicago, Ill., opposing House bills 12379 and 12646; to the Committee on Banking and Currency.

3095. Also, petition of the Boone Post, No. 77, American Legion, Belvidere, Ill., and the Illinois Department, No. 309, Mid-Nation Post, Chicago, Ill., relative to the bonus for the ex-service men of the World War; to the Committee on Ways and Means.

3096. Also, petition of the Wooden Box Manufacturers' Association, favoring a revision of the antitrust laws; to the Committee on Interstate and Foreign Commerce.

3097. Also, petition of the City Council of La Salle, Ill., favoring the Mason bill for recognition of the republic of Ireland; to the Committee on the Judiciary.

3098. By Mr. O'CONNELL: Petition of Wooden Box Manufacturers' Association, of New York City, favoring a revision of the antitrust act; to the Committee on the Judiciary.

3099. Also, petition of the Cap and Millinery Cutters' Union, Local No. 2, New York, favoring the passage of Senate joint resolution 171 and Senate bill 1233; to the Committee on the Judiciary.

3100. By Mr. ROWE: Petition of Dr. E. Florence Gaer and 45 residents of Brooklyn, N. Y., urging the passage of House bill 1112; to the Committee on the Judiciary.

3101. By Mr. TAGUE: Petition of Chelsea Post, No. 34, American Legion, Department of Massachusetts, urging the fourfold plan as a bonus for the ex-service men of the World War; to the Committee on Ways and Means.

3102. Also, petition of Paton MacGilvary, Boston, Mass., relative to House bill 10918; to the Committee on Ways and Means.

3103. Also, petition of the Federal Employees' Local Union, Boston, Mass., against the Smoot amendment to the legislative appropriation bill; to the Committee on Appropriations.

3104. Also, petition of Federal Employees' Local Union, of Boston, urging the passage of the civil service retirement bill, etc.; to the Committee on Reform in the Civil Service.

3105. Also, petition of American War Veterans' Association of City and County Employees, of Boston, Mass., against the passage of any bill that would exclude from its benefits any soldier, sailor, or marine who served in the World War; to the Committee on Ways and Means.

3106. Also, petition of American Felt Co., Boston, Mass., protesting against the passage of House bill 12379; to the Committee on Banking and Currency.

3107. Also, petition of National Federation of Post Office Clerks, Boston, Mass., urging the passage of the Fuller bill, House bill 13261; to the Committee on Expenditures in the Post Office Department.

3108. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, Washington, D. C., urging the passage of the Capper-Hersman bill; to the Committee on Agriculture.

3109. Also, petition of the Massachusetts Federation of Post Office Clerks, Springfield, Mass., urging reform in the Postal Service, compensation, etc.; to the Committee on the Post Office and Post Roads.

3110. Also, petition of American Legion, Department of Massachusetts, urging the passage of House bill 13407; to the Committee on Interstate and Foreign Commerce.

3111. By Mr. TIMBERLAKE: Petition of the Colorado Springs Post, No. 5, American Legion, urging the fourfold plan of compensation for the ex-service men of the World War; to the Committee on Ways and Means.

3112. By Mr. WEBSTER: Petition of H. C. Pearson and a number of other citizens of Spokane, Wash., indorsing House bill 1112, providing for the parole of Federal prisoners; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, April 21, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that we feel the weight of responsibility for that eternal vigilance which is the price of our liberties. We thank Thee that in addressing ourselves to the high office of this place we are doing so with a sense of our tremendous responsibility, and we seek the guidance of the changeless and unerring God that Thy law may be the law of our land and Thy will wrought out in all the work and labor of our hands. Bless us as a Nation and people and make us a blessing to the world. We ask for Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 13677) making appropriations to supply a deficiency in the appropriations for the Federal control of transportation systems and to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 4073. An act to authorize the construction of a bridge across the Missouri River near Kansas City; and

H. R. 11578. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the County Sligo Benevolent and Protective Association, of Boston, Mass., praying for the good offices of the Senate of the United States in securing the release of political prisoners in Ireland, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of Holland Camp, No. 38, United Spanish War Veterans, Department of Michigan, of Holland, Mich., praying for the enactment of legislation to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition, which was ordered to lie on the table.

He also presented a petition of the City Commission of Kalamazoo, Mich., praying for an increase in salaries of postal employees, which was ordered to lie on the table.

He also presented a memorial of the Adcraft Club of Detroit, Mich., remonstrating against the enactment of legislation to impose certain specified taxes on advertising, which was referred to the Committee on Finance.

He also presented a petition of the Federation of Labor of Detroit, Mich., praying for an investigation of the activities of the Bureau of Immigration, which was referred to the Committee on Immigration.

He also presented petitions of Local Lodge No. 843, International Association of Machinists, of Detroit; of Local Lodge No. 82, International Association of Machinists, of Kalamazoo; and of the Federation of Labor of Detroit, all in the State of Michigan, praying for the enactment of legislation providing for the parole of Federal prisoners, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. CURTIS, from the Committee on Appropriations, to which was referred the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, reported it with amendments and submitted a report (No. 530) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes, reported it without amendment and submitted a report (No. 531) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 4258) granting a pension to James Black (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING (for Mr. POINDEXTER):

A bill (S. 4259) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919; to the Committee on Mines and Mining.

By Mr. CALDER:

A bill (S. 4260) for the relief of the Acme Die Casting Corporation, of New York City, N. Y.;

A bill (S. 4261) for the relief of the Sirio Match Co., of New York City, N. Y.;

A bill (S. 4262) for the relief of Fairbanks, Morse & Co., of New York City, N. Y.;

A bill (S. 4263) for the relief of the Thermal Syndicate (Ltd.), of New York City, N. Y.;

A bill (S. 4264) for the relief of the Drapery Hardware Co., of New York City, N. Y.;

A bill (S. 4265) for the relief of Charles B. Chrystal; and

A bill (S. 4266) for the relief of the William Wrigley, jr., Co. (Inc.), of New York City, N. Y.; to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 4267) creating a commission on the racial question; to the Committee on the Judiciary.

A bill (S. 4268) granting a pension to Theodosia Benner (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 4269) for the relief of Orlando O. Allen (with accompanying papers); to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 4270) for the relief of J. H. Orr (with accompanying papers); to the Committee on Claims.

By Mr. UNDERWOOD:

A bill (S. 4271) to reimburse D. H. Carpenter, postmaster at Seddon, Ala., for money and stamps stolen from said post office at Seddon, Ala., and repaid by him to the Post Office Department; to the Committee on Claims.

By Mr. RANSEDELL:

A bill (S. 4272) to confirm the right, title, and interest of the Peoples' Investment Co. (Inc.), of the State of Louisiana, in certain lands; to the Committee on Public Lands.

NAVAL APPROPRIATIONS.

Mr. CALDER submitted an amendment providing that immediately upon official notification of the death, from wounds or disease not the result of his own misconduct, of any officer or enlisted man of the regular Navy or regular Marine Corps the Paymaster General of the Navy shall pay to the widow, child or children, or other dependent relative an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death, etc., intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and be printed.

THE MERCHANT MARINE.

Mr. NEW submitted an amendment intended to be proposed by him to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

PENSION APPROPRIATIONS.

Mr. WOLCOTT submitted an amendment intended to be proposed by him to the bill (S. 3219) extending the benefits of the general pension laws to members of the Eighth, Twentieth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, and Thirty-third Regiments, etc., which was referred to the Committee on Pensions and ordered to be printed.

THE AMERICAN CREED.

Mr. LODGE. Mr. President, I ask to have printed in the RECORD a statement in reference to the American creed, which has been made by the Senator from Missouri [Mr. SPENCER]. It is a very brief and terse statement.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"Senator SPENCER, of Missouri, in response to a request from a prominent woman's club in St. Louis, Mo., as to his conception of the creed of America and what it meant to him, replied:

"To me the creed of America is: A country founded upon absolute justice to all, with the door of opportunity open wide and with facilities for general education everywhere available; a place where the fullest liberty prevails and where every man and woman is equal before the law.

"This creed means to me: A thrilling pride in the glorious history which has established it, and loyalty to the principles which it declares, and a determination, by every means in my power, that it shall be transmitted to the next generation untainted and unweakened."

HOUSE BILL REFERRED.

H. R. 13677. An act making appropriations to supply a deficiency in the appropriations for the Federal control of transportation systems and to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents, and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McNary	Spencer
Ball	Harris	Moses	Sterling
Calder	Jones, N. Mex.	Nelson	Swanson
Capper	Jones, Wash.	New	Thomas
Chamberlain	King	Nugent	Trammell
Comer	Knox	Phelan	Underwood
Culberson	Lenroot	Phipps	Warren
Curtis	McCormick	Pittman	Wolcott
Dial	McCumber	Reed	
France	McKellar	Sheppard	
Gerry	McLean	Smoot	

Mr. GERRY. The Senator from Wyoming [Mr. KENDRICK], the Senator from Arkansas [Mr. KIRBY], and the Senator from Massachusetts [Mr. WALSH] are absent on official business.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. HARRISON, Mr. KELLOGG, and Mr. OVERMAN answered to their names when called.

Mr. HENDERSON, Mr. POMERENE, Mr. SUTHERLAND, Mr. SIMMONS, Mr. OWEN, Mr. DILLINGHAM, Mr. LODGE, Mr. SMITH of Maryland, Mr. PAGE, Mr. KEYES, Mr. WADSWORTH, Mr. KENDRICK, Mr. RANDELL, and Mr. SMITH of South Carolina entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present.

Mr. McCUMBER. I ask unanimous consent that the formal reading of the bill may be dispensed with and that the committee amendments may be first considered.

The VICE PRESIDENT. The Senator from North Dakota asks that the formal reading of the bill be dispensed with.

Mr. KING. I ask that the bill may be read.

The VICE PRESIDENT. The Secretary will read the bill.

The bill was read.

Mr. McCUMBER. I now ask unanimous consent that the committee amendments may be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The first amendment of the Committee on Pensions was, in section 1, page 1, line 8, after the word "duty," to insert "and every person who served 60 days or more in the War with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom," so as to make the section read:

That every person who served 90 days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged therefrom, or who, having so served less than 90 days, was discharged for a disability incurred in the service and in the line of duty, and every person who served 60 days or more in the War with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, and who is now in receipt of, or entitled to receive under existing law, a pension of less than \$50 per month, shall, from and after the passage of this act, be entitled to and shall be paid a pension at the rate of \$50 per month.

Mr. THOMAS. Mr. President, I should like to have some information from the Senator having charge of the bill regarding that amendment. It seems to be very comprehensive in its character. The bill, of course, was introduced to cover a certain class of pensioners.

Mr. McCUMBER. Mr. President, the purpose of the amendment is to include the veterans of the Mexican War—what few of them are left—and their widows. If there is a real reason for the increase of the pensions of the veterans of the Civil War, owing for the most part to the increase in the cost of living, which is due entirely to the action of the Government itself in the inflation of the currency and in the methods of providing for the recent war, then it would apply to the same extent to the few survivors of the Mexican War and their widows. This amendment is to include those within its provisions.

Mr. THOMAS. That, of course, accounts for the first phrase of the amendment; but I am particularly inquiring about the words "or on the coasts or frontier thereof, or en route thereto, during the war with that nation."

Mr. McCUMBER. That is exactly the way the law now reads, and has read for some time, and it has been the basis of the law providing for pensions to Mexican War veterans. So really the only change is the inclusion of those now drawing pensions under the pension laws relative to Mexican soldiers and their widows in the increase provided for in this bill.

Mr. KING. I am not sure that I understand the meaning of this amendment, and particularly the words to which the Senator from Colorado last invited the attention of the chairman

of the committee. As I understand the Senator, the words "or on the coasts or frontier thereof, or en route thereto" are found in other enactments dealing with the subject of pensions.

Mr. McCUMBER. They are found in the pension laws relative to pensions for soldiers who served in the Mexican War. They are not written into the pension laws relative to any other class of pensioners. The rule indicated by those words has been followed with reference to Mexican War soldiers; in other words, they did not have to be in Mexico, provided they were serving on the coast of Mexico or on the frontier or on ships adjacent thereto, and were actually in the war. The number is so almost infinitesimal now that it seems to me that we ought not to attempt to change the old rule.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield.

Mr. LENROOT. Do I understand that the courts have ruled that unless a man was actually in Mexico he did not serve in the War with Mexico?

Mr. McCUMBER. No; I do not suppose the courts have so ruled at all, but the provision referred to has been the law enacted heretofore, and that portion is simply recopied into this bill.

Mr. LENROOT. Does the Senator think in connection with the recent World War, where we give relief to all those who served in the war with Germany, that under the ruling of the department only those would be entitled to relief who served in Germany?

Mr. McCUMBER. Oh, no; certainly not.

Mr. SMOOT. Mr. President, this question came up years ago, and I know that the auditor held that no pension could be paid to any Mexican War veteran under the law unless he had actually served in Mexico during the war. So the law was written as it appears in the pending amendment; and while I have always thought that the wording was rather strange, at least it is the wording that placed on the pension list veterans of the Mexican War who did not actually go into Mexico.

Mr. McCUMBER. In other words, the Senator thinks, as I do, that the words were unnecessary but, nevertheless, were put in the law on account, I think, of a ruling of the Pension Bureau.

Mr. SMOOT. There is no question about it.

Mr. THOMAS. The policy of Congress, then, is practically this, is it not, that in legislation a man is construed to be a veteran of the Mexican War whether he served in Mexico or not, if he served on the coast or the frontier or at home?

Mr. McCUMBER. No; if he was on his way, although the war ended before he reached Mexico, if he served 60 days, which is the limitation fixed for a pension as applied to the Mexican War veteran, he would receive his pension.

Mr. THOMAS. Yes; that is to say, the law has been broadened to such a degree that a man who was en route when the war ended is entitled to a pension in the same degree that the man who in the Mexican War bore the brunt of the fighting.

Mr. McCUMBER. Just exactly the same as the soldiers in the war of 1917 who never got an opportunity to get over, but were in camps in the United States or were on their way over, receive exactly the same treatment under all our pension laws as though they had been upon the battle front.

Mr. THOMAS. I know. They are the ones who are now clamoring loudest for a bonus.

Mr. McCUMBER. I do not think they are clamoring so much as a great many politicians think they are.

Mr. THOMAS. It may be that I am one of the politicians who think so. I can not think otherwise, in view of the mail which I get, some of which is personal and some of which is impersonal.

Mr. McCUMBER. The Senator must remember that he gets his mail only from the few who do wish it. There were nearly 5,000,000 altogether, and the most of them are not writing.

Mr. THOMAS. The few who do wish it make the most noise, if they are but few only, and it is those who make the noise who successfully influence legislation. I shall not oppose this amendment, although when the time comes I intend to say something about the bill; but I can not at present avoid the impulse of contrasting the compensation which we give to a man who has done virtually nothing with the compensation given to a man who has done everything. Blessed is the man who is on his way to fight, for he shall not be forgotten when pensions are distributed.

Mr. McCUMBER. Mr. President, last June there were, I think, 215 Mexican veterans left on the rolls. I assume that probably there are not 100 of them left to-day. Now, it may be that there are one or two or three or four of those old veterans of the Mexican War who came under this rule that was established in the law to which objection is now taken.

Mr. THOMAS. I am not objecting.

Mr. McCUMBER. Would the Senator withdraw from them their pensions at the present time?

Mr. THOMAS. Oh, no, Mr. President. I am not objecting, and I would not withdraw the pension if I could. Of course, I could not; but—

Mr. McCUMBER. Then would the Senator prevent their pensions being increased if there was a demand and real justice in the increase?

Mr. THOMAS. The difficulty with this sort of legislation is the precedent which it sets for millions who are to come. There is where the Treasury will be sensibly affected, and I criticize it because of that fact. It would be surprising to me if there were 500 men living who were engaged in the Mexican War, even to the extent of wishing that they might get into it. That generation is virtually gone. I do not intend to make any objection to it, among other reasons because the Senator informs me that he has used the phraseology of existing law, but it does supply ground for comment in the future regarding our manner of pension legislation.

Mr. SMOOT. Mr. President, the Mexican War was in 1846. That is 74 years ago, and if there was a soldier in that war 16 years old he must be 90 years old at the present time. I doubt whether there is a soldier of the Mexican War living who is less than 88 years old. Most of those that are left are over 90 years old, but there are so very few of them left that they are hardly to be considered, and they can not live more than a year or two longer at the most.

Mr. KING. Mr. President, I was about to ask my colleague a question, but I will address my inquiry to the chairman of the committee.

My colleague has stated, and the chairman has just stated, that this provision is to deal with "soldiers of the Mexican War," "veterans of the Mexican War." The phrases were used interchangeably. As I understand, this provision is to deal with men who were in the military or naval service of the Government at any time during the period covered by the War with Mexico, whether they rendered any military or naval service in and about Mexico or in connection with the war or not.

That is to say, if there were persons in the Army and the Navy, stationed in Maine or in California, or in the Territory of Montana, where there were Indian tribes, and who were not affected in the remotest degree by the progress of the war or the war itself, had nothing to do with it, rendered no service whatever, and were wholly disconnected from it, they would receive the benefits provided by this bill. If I am in error, I shall be very glad to be corrected.

Mr. McCUMBER. I think the amendment speaks for itself. It says:

And every person who served 60 days or more in the War with Mexico.

That alone might have been construed as meaning only those who were actually on Mexican soil; and therefore it was amended to make it clear that those who had taken part and who had enlisted and become soldiers of the United States in the war against Mexico would be entitled to the pension, even though they may not have reached Mexico; and so it goes on to say, "or on the coasts." The man must have served in the war either on the coasts or frontier of Mexico or in the interior. He might have been stationed along the frontier in the United States to prevent raids; or, if he had enlisted and was in the Army of the United States and was en route to Mexico during the war with that nation, and then, because the war closed without his assistance, he did not get there, he would not be cut off from his pensionable status. It does not refer to those who stayed at home, because they were neither serving in Mexico, nor under the colors on the coasts of Mexico, nor protecting the borders of Mexico.

Mr. KING. As I understand the Senator, his construction of this language and the construction placed upon preceding legislation by the Pension Bureau is that, in order to obtain a pension under this bill or under preceding legislation, the beneficiary must have actually served in Mexico or have rendered military or naval service upon the coasts or frontier of Mexico.

Mr. McCUMBER. No; it is not limited to that. It applies also to the man who had started on his journey to perform such service.

Mr. KING. Does the Senator state that it will not be construed to include persons who were stationed—if I may be permitted to refer to the same illustration again—in Montana or in other parts of the United States guarding railroads or looking after the Indian tribes or doing mere garrison duty in Army camps?

Mr. McCUMBER. I do not think it has been so construed. Of course, that would be a construction that would include every one of the Regulars in the United States Army during that war. I do not understand that any such construction has ever been given to it, but, on the contrary, a very limited construction was given to it, so that unless the soldier was actually in Mexico he could not draw a pension, and the law was changed so that it would include those who were actually serving in that war, on the coasts of Mexico, on the frontier, or who had enlisted and were en route to the front. I do not understand that it has ever been applied outside of that.

Mr. SMOOT. Never.

Mr. KING. Mr. President, the policy of many of our statesmen, not to say politicians, has been and still is to give pensions to all who were in the military or naval service of the Government during the Civil War and all other wars, whether they were within a thousand miles of any battle field or not, whether they were exposed to any danger or not or suffered any disability by reason of such service. It does not seem to be the policy to reward men for valorous conduct upon the battle field or compensate them for injuries received or disabilities incurred while serving and defending their flag and country. The policy seems to have been—and the same thought seems to possess the minds of politicians and statesmen nowadays, if I accurately interpret the situation—to give pensions to every person who was in the military or naval service of the United States during the entire period of the Civil War, whether he was drafted or volunteered or took the place of another for a bounty or subsidy paid, whether he is rich or poor, whether he needs a pension or whether he does not require it.

The question of wounds or injuries or disabilities is wholly unimportant. Everyone who can make claim to a few days' connection with the military or naval branch of the Government is to be pensioned. The receipt of a pension is no badge of actual military or naval service; it is no evidence of struggle upon the battle field; it furnishes no presumption of wounds or injuries or disabilities received or incurred in defending our country.

That is a policy that undoubtedly commends itself to some people, but I have not been able to reconcile my views with the justice or wisdom or righteousness or patriotism of a policy of that character. Many soldiers of the Civil War have repeatedly declared in the past that pensions should not be paid merely because of a few days' service in the Army, but that the widows and the orphans of those brave men who gave their lives upon the battle field should be cared for and the wounded and disabled should receive pensions. No patriotic American differs with this view. Its justice and humanity appeal to all persons. Our country should bind up the wounds and care for those who have battled for its perpetuity. There is no disposition to evade this duty. But little by little this just and patriotic view has been abandoned, the question of service and sacrifice for country has been ignored, and the position taken that the Treasury was within the reach of all persons who were in any manner connected with the Army, whether they actually served in war or were wounded or suffered disabilities by reason of military or naval service. And the principle was further extended so that all manner of relatives and dependents of those who had been in the Army were to receive pensions.

Under the accepted policy the Government has been compelled to pay in pensions growing out of the Civil War alone more than \$5,000,000,000. By the terms of this bill \$65,000,000 will be added to the enormous annual budget provided for the beneficiaries tracing their claims for pensions to the Civil War. Last year Congress appropriated more than \$220,000,000 for pension claims of Civil War beneficiaries. Millions were also paid to soldiers and sailors who served in the present Great War, and to their families and dependents.

The Senator will recall that a number of years ago President Garfield declared that \$27,000,000 would be the greatest amount appropriated for any one year for Civil War pensions, and that when this peak was reached the amounts called for annually would rapidly diminish. Mr. President, that sum is a mere bagatelle. It now is insignificant measured by the demands and by the amounts actually appropriated. We passed the fifty-million mark, then seventy-five millions, one hundred millions, one hundred and fifty millions, two hundred millions, two hundred and twenty millions, and now this bill appropriates sixty or seventy millions more. Three hundred millions of dollars are demanded to be paid during the coming fiscal year as Civil War pensions, and this notwithstanding the fact that as the years have gone by the great Army of the Republic has diminished in number until there are comparatively few survivors.

As I now recall, the number of survivors is 270,000. But as stated, the fewer the soldiers living the greater the amount

appropriated. The country was startled when the Civil War pension list called for \$50,000,000 annually. The surprise and indeed bewilderment increased when the amount demanded was \$100,000,000. When it reached over \$220,000,000 for the fiscal year ending June 30, 1919, the country could not credit the report.

Now we propose to add \$65,000,000 additional; and, of course, this is not the end. There is no terminus in sight, and there will be excuses and pretexts for making appropriations which will augment the present huge sum.

Mr. President, as I have indicated, the American people are proud of the heroic services of the Civil War veterans. The battle fields of the Civil War will never be forgotten, and the brave men who then fought and died have an enduring fame. A grateful people will care for their widows, and there have been generous responses to the requests of the veterans who received wounds or incurred disabilities in the line of service. Pensions for these classes all Americans most earnestly approve of.

But there is a feeling that the pension laws have gone too far, that unworthy ones have been protected, and that the list of beneficiaries has been too greatly extended.

I have heard many criticisms of a system which pensioned men who rendered no service, who were exposed to no danger, who were absent from their homes but a few days and then under such circumstances and conditions as to constitute a recreation or, at least, an interesting journey.

And the criticisms have been more severe when they related to the hundreds of thousands of relatives, direct and remote, of some who were never wounded and never saw a battle field or rendered an hour of real military service.

But the criticisms and opposition failed to interfere with the growing demand for pensions. The greater the opposition the larger the appropriations. It might be pertinent to inquire whether the fact that there were hundreds of thousands of voters had anything to do with the appropriations, increasingly large, which were secured.

But it is idle, Mr. President, to oppose pension legislation. Organizations strong and insistent demand it. Many of the people are quiescent and do not understand the staggering demands made upon the Federal Treasury. Indeed, I sometimes think that the people like huge appropriations to be made. The advocates of economy receive but little encouragement and often much abuse. To obtain a great appropriation is to popularize the public servant who is thus successful. But there will be an awakening some day. The looting of the Treasury will not always be a popular pastime. We are now pension mad and bonus mad; we have got so into the habit of spending millions and billions that we seem to be laboring under a species of insanity. We refuse to economize, to practice the virtue of saving. We are prodigal to the limit of criminality. Spend and spend more is the slogan of the hour. We invent pretexts, if good reasons fail, for appropriating public moneys. We waste money in river and harbor bills; in legislation dealing with the Army and the Navy. If we can not expend it for the various departments of the Government, if we can not expend it by keeping in Washington 50,000 more clerks than the public service requires, if we can not expend it through the extravagance of executive agencies and instrumentalities of the Government, we can open the floodgates of the Treasury and pour out the little remaining, and then issue more bonds and tax the people for pensions and bounties and bonuses and largesses and various forms of gratuities.

Mr. President, bills are being introduced almost daily in either the House or the Senate, calling for hundreds of millions of dollars to meet pensions and demands for bonuses and compensation for millions who entered the military or naval service of the Government during the recent European war. It would seem that there is no regard for the public welfare in some quarters. It has been said by some that the high idealism of this war and the spiritual element that guided the American people during the mighty struggle have departed, leaving us to be carried by the tide of selfishness and materialism. I can not believe this indictment to be well founded. We will still fight for our ideals, and in these days of readjustment not forget the mission of our country and the obligations resting upon us. But it does look as though we had become hysterical upon some questions, and were pushing on toward danger lines. We follow too readily the fallacies of doctrinaires and those who would transform this Republic into an oppressive bureaucracy or a decadent socialism. Some persons are preaching the destruction of the States, the assumption by the Federal Government of all authority, and the utilization of the same to build up a mighty, consolidated, socialistic Government. All persons who reach a certain age are to be pensioned by the Federal Government. And the socialistic forms are to be fitted over our politi-

cal and economic conditions. During the un-American spasms which affect us at times, we become extremists and approve false principles. We are spending hundreds of millions for military and naval pensions; we are creating a formidable civil pension roll, and the demands will increase for still further pensions. Will we have millions of pensioners to be supported by the toiling masses? Will we increase the list of Government employees to the extent of millions and then pension them? It is time that we examined our course and repudiated the many dangers that will result from influences now exercised to control the policies of our country.

I realize that objection to this bill, and to retirement bills, and to pension bills, and to pork-barrel bills, and to extravagant appropriation bills will not avail at this time. We are distempered and suffering from ailments for which no specific is now sought. The demand is to get the money out of the Treasury and to put in more in order that it may be taken away. The stupendous deficits we are creating awaken no apprehensions, and we go on spending as if the Treasury was without a limit.

Since this bill was called up for consideration a moment ago, I picked up the Record of yesterday and my eyes fell upon a most admirable presentation of some cognate features of this legislation by the distinguished Representative from Iowa [Mr. Goon], chairman of the Committee on Appropriations in the House. At the risk of wearying the chairman of the committee and Senators, I am going to read a few excerpts from that statement.

Mr. McCUMBER. If the Senator will allow me, of course, he does not wish the Senate to understand that Mr. Goon's speech had reference to this bill? It was simply aimed at the bill which we will soon have before us, giving about \$2,000,000,000 to the soldiers of 1917.

Mr. KING. If anything I said carried that impression, of course, I want to disclaim intending it.

Mr. McCUMBER. The Senator used the words "this legislation," and I wanted it to be clear that he did not intend to apply his remarks to this bill.

Mr. KING. I am very glad the Senator called my attention to that, because I disclaim intending to directly link these remarks of Mr. Goon with this particular legislation, but his address is relevant and pertinent to the consideration of the measure now before us. His remarks were general in character, but referred to pension legislation. He said:

The second year after the close of that war—

Referring to the Civil War—

a period corresponding to the time we now occupy with regard to the close of this war, we paid out for all purposes * * * \$21,000,000 for the soldiers of that war.

I presume he included in that statement the sailors. He continued:

In the twenty-fourth year after that war was over we paid out \$92,000,000 during the year in pensions, hospital treatment, and the administration of soldier legislation. Last year, the first time we had reached the mark of more than \$200,000,000, our total appropriations for the year ending June 30, 1919, for the soldiers and sailors exclusive of the late war and the Spanish-American War, including administration, was \$223,000,000.

At that rate of progress in 25 years from now we may be paying three or four hundred millions of dollars for the survivors of the Civil War and their alleged dependents and progeny to the nth generation.

Mr. McCUMBER. Did I understand the Senator to say that in 25 years we would be paying out four or five hundred million dollars to survivors of the Civil War?

Mr. KING. That is not exactly what I said. This is what I stated: That at that rate of progress in 25 years we would be appropriating four or five hundred millions of dollars to the survivors of the Civil War and their alleged dependents and progeny.

Mr. McCUMBER. The average age of the present survivors of the Civil War is about 77 years, and I do not think there will be a great many of them left in 25 years.

Mr. KING. I grant that. But that will not deter men and women throughout the country from making demands upon Congress to grant bounties and pensions. I am informed that organizations are being effected, if they have not been completed, upon the part of the descendants of the Civil War veterans, and others who seek pensions through them, in order to secure appropriations and pensions and gratuities and bounties and largesses and bonuses from the United States.

Mr. SMOOT. The Senator has reference to civil pensions?

Mr. KING. I refer to pensions which will be demanded by persons who link themselves in some manner to persons whose names appear upon the rolls of the Army and Navy Departments.

Mr. SMOOT. The Senator has no idea that that will ever happen unless there is a general civil pension law?

Mr. KING. Mr. President, I believe that even now persons are receiving pensions because of alleged relationship to individuals who served in the Civil War, who in all good conscience should not take money from the Treasury of the United States. But it would be foolish to prophesy as to what the American Congress will do in the matter of creating a civil pension list.

I hope that the American people will not pervert this Government into a huge pension machine and lay burdens upon the producers which will be unbearable. As I have indicated, I hope there will be an awakening, that the true democratic spirit will control the people, and that they will not build up a class of pensioners who will eat out the substance of the people.

If the demand for socialistic legislation shall swell in volume during the next few years as it has these last few years, and if we go more and more to Germany for an example in government and in administrative law, I would not hesitate to say that we will be paying civil pensions to millions as well as to those who are the descendants of persons who rendered military service.

Mr. DIAL. Mr. President—

Mr. KING. I yield to the Senator from South Carolina.

Mr. DIAL. I would like to ask the Senator how many years the present law granting pensions has been in operation?

Mr. KING. I do not recall the first pension law which was passed following the Civil War, but it was immediately after. That law has been amended and supplemented upon numerous occasions since, and the last general pension law was enacted in June, 1918.

Mr. DIAL. Always increasing?

Mr. KING. Always increasing. And let me say to my friend from South Carolina that when the bill which became a law in June, 1918, was under consideration, both in the House and in the Senate, representatives of the Grand Army of the Republic, and, perhaps, those who were not members of that organization but who had been in the military service of the Government during some part of the Civil War, appeared before the committees and made strong and positive statements to the effect that that was the last time any increase would be demanded.

Let me call attention to the report made by the distinguished chairman of the committee, Senator McCUMBER, upon the present bill, in which he refers to the statements made before the committee. In the report the Senator states:

The act of June 10, 1918, carried a most substantial increase of pension to all beneficiaries covered by its provisions, and with the continuation of the policy of special pension legislation to meet extreme cases not adequately covered by the general laws, it was believed that no further general legislation would be necessary to fulfill all governmental obligation toward the remaining veterans of the Civil War.

Here is the point to which I referred a moment ago, continuing from the report:

In the hearings antedating the enactment of this law it was stated by officers of the Grand Army of the Republic that this would be the last call upon the generosity of the Government in behalf of these soldiers, their widows, and dependents. This statement has often been quoted and suggested as an estoppel by those who oppose a further increase in pension legislation. There might be some force to this argument had not the Government itself, by its financial and administrative policies, so decreased the normal purchasing value of the currency of the country as to leave the recipients of this increased pension in a far worse condition than they were when the legislation was enacted.

Had the Government by a general law increased the pensions of these soldiers from a \$20 to a \$30 per month stipend, and in the same law provided that this \$30 should be paid in Mexican dollars worth but 50 cents in American money, thus in effect reducing the pension to \$15, this manifest wrong and injustice would have called for immediate correction. And yet this is exactly what has resulted indirectly through governmental action and policies.

It may be said that all the people suffer alike from this deplorable condition.

Namely, the inflation, I suppose, to which the Senator refers—This, however, is not the case. Labor has increased in price about 300 per cent since war was declared—

And so forth.

The logic of my distinguished friend the Senator from North Dakota is somewhat striking and original.

Mr. THOMAS. Mr. President—

Mr. KING. I yield to the Senator from Colorado.

Mr. THOMAS. I suppose the Senator notices the assumption upon which that argument must be based, which is that the purpose of a pension is to support the beneficiary; that is to say, that it should be sufficiently large to meet the expenses of living and make him independent of work. Of course, if that is so, then the \$50 a month proposed is a mere farce, and it ought to be four or five times that amount.

Mr. KING. It would seem that the contention of the Senator from Colorado is correct. The argument of the Sen-

ator from North Dakota seems to have been that there was a contractual relation between the Government and the pensioners and that the appropriation was made for the purpose of supporting those who were the beneficiaries of the pension system and made pursuant to the terms of a contract; but it is a rather remarkable suggestion that if the Government makes an appropriation or incurs an obligation to be carried out and executed in futuro or covering a long period of years, and there is any change in the fiscal affairs of the Government or in the ratio between the purchasing power of a dollar and the objects purchased, that a revision of the contract should be made. Under that view there would be no certitude in any legislation or in any relations between the Government and individuals. Every obligation of the Government calling for the payment of a certain sum in gold coin of the United States would have to be revised not only every year, but perhaps every 6 months or every 30 days or every day or every hour, depending upon the financial conditions of the country, the flexibility of the currency, the volume of credits, the productivity of the people, the savings of the country, the economic and industrial conditions obtaining, and a multitude of other matters which directly or indirectly affect prices and business.

It is rather a novel thought—

Mr. McCUMBER. Mr. President—

Mr. KING. I yield to the Senator from North Dakota.

Mr. McCUMBER. Is it a novel thought to the Senator that we have again and again raised the wages of labor on our railways and in our mines to meet the higher cost of living? Is it a novel thought to the Senator that the inflation of currency, whereby in four years we have doubled the amount of our currency, tends to raise the price of every commodity, and that we have acted upon that in raising salaries and in pensioning those connected with Government employment? In many ways we have indicated the necessity of adjusting salaries and wages to the inflated currency and to the consequent increase in the cost of living due to that inflation.

Now, if we do that in the matter of all our policies, can the Senator see any reason why we should not raise the pensions of those who can no longer earn a higher compensation because of their age or disability, and therefore can not meet the present situation which we by our laws or our administration create?

Mr. KING. It would not be proper to be diverted from the subject under consideration to enter into a discussion of the wage question, whether it relates to the employees of the Government or employees of private individuals and corporations in the United States. Of course, the thought is not that wages should be increased; indeed, there were many cases in which they should have been increased; justice demands that the wage earner be paid a fair and a living wage, and changing conditions call for a readjustment of wage scales and in many instances for an increase in wages. But I do not understand that these persons who were the beneficiaries of pensions from the Government occupy any sort of contractual relation to the Government. There is nothing which the Government has done which requires it to make further payments because of the high prices prevailing in the world.

If the logic of the Senator is correct, if it is just to legislate with reference to those conditions to which he has called attention, I submit that it would be the duty of the Government to call in the billions of dollars of bonds which were issued and give more bonds because of the inflation of credits which has occurred since, and bonds which were purchased have gone down, because the purchasing power of bonds since then has been lessened.

When the Government obligated itself for \$100 which some man paid to it three years ago to pay him in 20 years \$100 in gold coin of the United States, with interest payable semi-annually at a certain per cent, the Government did not agree and there was no obligation, moral or legal, resting upon the Government to increase the face value of the bond or to call it in and give him a bond for \$125 or \$150 because of the shrinkage in the purchasing power of the dollar between the time that the bond was purchased and the present time.

The argument of the Senator would call for a readjustment of every obligation of the Government, and if it is a sound argument it would call for a readjustment of every contract entered into between individuals.

The Senator from North Dakota is exceedingly dextrous, facile, and successful in justifying this position. He says that the Government has done all these evils; that is, caused inflation; that the Government is to blame. The Government gave to these persons who were beneficiaries under the act of June 10, 1918, a certain increase in their pensions. Now, the Senator says that as a result of more recent legislation the purchasing

value of those dollars which are to be paid to veterans of the Civil War has been decreased 50 per cent; ergo, we must double the pensions. Of course, I deny either the premise or the conclusion. Is the Government to blame, morally or legally, for the depreciation to which the Senator refers?

Mr. President, the statement of the Senator embodied in the report is evidently intended by the Senator as an indictment of the financial legislation of the Government which raises the taxes. The Senator from North Dakota is one of the ablest Members of this body, and he has served with the highest ability and patriotism as a member of the Committee on Finance, where he rendered distinguished service.

The Senator from North Dakota helped to formulate the financial legislation enacted to carry on this greatest of all wars, and he materially aided in securing the passage of the great financial measures which the war demanded. Billions of dollars were required in the prosecution of the war, and the legislation enacted made provisions for the enormous demands of the Government. Does the Senator say that the bills which he helped to frame and which he helped to enact into law were improper and that the Government is to blame for those measures? Does the Senator—

Mr. McCUMBER. Does the Senator want an answer just now?

Mr. KING. Just one further question and then the Senator may answer both, if he desires. Does the Senator say the Government was to blame for issuing bonds in order to get money with which to prosecute the war?

The Senator voted against a number of amendments which were offered by the Senator from Wisconsin [Mr. LA FOLLETTE] and supported by some of us to make the taxes higher, to take more of the excess profits, a larger per cent of the incomes of individuals and of corporations. I think some of these amendments should have been adopted, but I am not criticizing the Senator for his vote. It may be that his position was sound and that the views of some of us were economically unsound. I appreciate that taxation may be so heavy as to destroy industries and the very sources upon which the Government must depend for its revenues to carry on war. I think it would have been unwise to have carried out the suggestion of some of our political economists, who urged that we should take all of the earnings of all of the people of the United States above that which they earned before the war. Such a policy as that would have destroyed business, dried up the fountains of productivity, and brought ruin and disaster not only in industry but to our country. In my opinion the financial measures coming from the Committee on Finance during the war will commend themselves to the judgment of historians and statesmen as the years go by. While not perfect, it was wholesome and statesmanlike. In some particulars it could have been improved, in my opinion, but it met in a fair way the needs of the hour.

I now yield to the Senator from North Dakota.

Mr. McCUMBER. Mr. President, if the Senator will allow me at this time, I will say I think the Senator has misconceived the meaning of the paragraph which he read, as I think he has misconceived the obligation that exists between the Government of the United States and the old soldiers who kept the flag flying during the four years of civil strife. I will now correct, however, only the Senator's first misconception.

The Senator from North Dakota will share in all of the responsibility for the financial legislation that was put upon our statute books to maintain the recent war. The Senator from Utah can not eulogize that too much. It was not perfect, but I think it was necessary under the circumstances. However, the Senator from North Dakota is not responsible for the banking law that was passed by the Congress of the United States in 1913, and the Senator from North Dakota not only voted against that bill but he gave his reason for doing so.

The reason was that when we were attempting to create a financial policy an expansive or elastic currency provision was incorporated in the bill at that time that there should be no taxes whatever upon the issue of paper money for six months. No provision was made that prevented any borrower or person who desired to use paper money borrowing for six months, putting up his collateral, having the United States notes issued upon it, and then, without the payment of a penny, at the end of the six months paying the loan up and borrowing it over. I said at that time that the elasticity would be only in one direction; that it would debase the currency of the United States—that that was inevitable—and that we ought not to pass any legislation that would put it in the hands of the speculators of the United States to destroy the value of the currency.

Every one of my prophecies became true long before the late war, and they have become true in such a startling degree of

certainty that one can not read the record of our banking administration without being shocked at the enormous increase in the paper currency of the United States. It was to that I referred, and not to the financial policy in conducting the World War.

If the Senator will allow me, I will give him the figures to show just what we did under the law of 1913. The law did not go into effect until the next year and did not get fully under way until the latter part of 1915. What followed? Before the end of the year 1915 there was outstanding \$84,000,000 worth of new Federal reserve bank notes. That was during a few months of the first year. The next year, in 1916, that \$84,000,000 grew to \$176,000,000. That was before we entered the war. In the next year, 1917, it again more than doubled, amounting to \$547,000,000. In the next year that sum was increased to \$1,847,000,000, and the next year, in 1919, it was increased to \$3,565,000,000.

That, with the enormous importations of gold and with the heavy balance of trade in our favor before we ourselves got into the war, augmented by the cost-plus system, that was adopted by the administration, which allowed every profiteer from the laborer up to gouge the Government, is responsible for the condition and the high cost of living to-day.

Mr. KING. Mr. President, my distinguished friend has diverted attention from the question which is before us, and his position invites one into a digressive path. To discuss the financial policies of the party to which the Senator belongs and contrast it with the financial policies of the great party to which I have the honor to belong is a task calling for more time than is now at my disposal and leads too far afield from the pension measure now before us.

But his statements call for a few observations in reply. It is evident that the Senator is not in sympathy with the Federal reserve act and with the financial legislation which has been enacted by the Democratic Party, excluding, as I understood him, that legislation which was directly the product of the war. I do not want to do the Senator an injustice, but I want it to go into the Record accurately as I interpret him. The Senator approves of the financial legislation enacted by the Congress since the war began. That means the various measures imposing taxes and designed to obtain revenue and the various measures calling for bond issues.

I think that the overwhelming majority of the American people will assent to this position taken by the Senator.

Mr. President, the war was a tremendously expensive undertaking. War always has been and always will be expensive; and the costs of war will increase as we advance in civilization and in the methods of destruction. No one conceived when the World War began that it would cost the nations involved more than \$200,000,000,000. It was alleged by many political writers that the entire wealth of the United States at the beginning of the war did not exceed \$185,000,000,000, and yet the war cost was more than \$200,000,000,000. That means, of course, that the policies adopted for the purpose of obtaining the sinews of war, which were the result of the experience of the past, would be entirely inadequate to deal with the questions and problems which the war presented. The war called for such vast expenditures that it seemed humanly impossible to realize, by any system of taxation or even of confiscation, wealth sufficient to conduct the war. All the gold and silver of the world was considerably less than one-half of what our Nation expended during the war.

France has been burdened with nearly \$40,000,000,000 of indebtedness as the result of the war, and Great Britain's indebtedness is substantially the same. It is not necessary, nor have I the time, to recapitulate the cost to the various other belligerents in the mighty contest. So, as I have said, the Committee on Ways and Means and the Committee on Finance, of which the Senator is a member, devised legislation and passed it through Congress which met the situation, and met it in an admirable way. As I have said, I would have imposed heavier taxes upon excess profits and incomes and luxuries.

I would have taken more from those who profited at the expense of the United States. I offered an amendment to one of the revenue bills providing that every person who had a contract with the Government or was directly or indirectly interested in any dealings with the Government should file under oath every six months during the life of the contract a statement of its terms, setting it out textually, if it were in writing, what was done under the contract, what was received under the contract, what was paid to others under the contract, and what profits were realized, and when the work was completed to file a statement recapitulating in detail all of those elements. I had in mind the thought that many contractors and subcontractors and others dealing with the Government during the

war would make large profits. I felt that they should be heavily taxed, that full information should be furnished by them in order that taxation might not be evaded, and I further desired that the American people should know who were the profiteers, who were the men who made profits out of the war in war contracts with their own Government when it was fighting for its honor and for the cause of civilization.

The Senate adopted my amendment, but unfortunately it was emasculated in the committee of conference. The committee of conference struck out the essential and vital parts of the provision.

Mr. President, if that provision had been retained in the bill, I think we would have secured more taxes, and some of the men who have robbed the Government would not be enjoying the confidence of the communities in which they live, and would not wear the smile of complacency and superiority which now distinguishes them.

The Senator, however, attacks what I believe the American people regard as one of the most important financial measures that was ever enacted by the Congress of the United States. The party of the Senator from North Dakota was in power in the Nation when the Civil War was fought. With all of the wisdom of the great statesmen who were then in the Congress of the United States, guided by the almost supernatural wisdom of Abraham Lincoln, the Republican Party utterly failed to devise a system of taxation or revenue that met the demands of the hour. The issue of greenbacks under the stress of the war was a palliative and a very poor one; and, in order to effectuate that object, the Constitution of the United States was violated and the Supreme Court of the United States was so adjusted—some say packed—as to secure a decision that validated what great lawyers regarded as an illegal and unconstitutional enactment.

I do not want to indulge in invidious comparisons, but I assert that the legislation of this Congress under a Democratic administration was far superior, evinced higher statesmanship, than that produced by the Civil War. Moreover, the problems and difficulties were greater now than then. I do not want to be misunderstood. The Republicans in the House and in this body as patriotically supported the great legislative program occasioned by the war as did the Democrats, and their example is a testimony of powerful force, that in every hour of danger to our country we are not partisans but Americans.

Of course, the act which the Senator attacks has some defects, and I, in part, sympathize with the criticism which he makes respecting the features to which attention was directed, yet I venture to say that the vast majority of the people of the United States, including the business men, regard the Federal reserve act as the rock of salvation and pillar of safety during the war which we have just passed through.

Does the Senator advocate its repeal? Has he advocated its repeal? Has he offered measures here for the purpose of modifying it? I do not recall that my good friend or any other Republican has seriously attacked the Federal reserve act or has offered amendments of a vital or important character to that great constructive measure. I have wondered, as doubtless many men have, what would have been the result if the Federal reserve act had not been upon the statute books and if we had had upon the statute books only the financial legislation that we found there when the Democratic Party came into power under the first administration of Woodrow Wilson.

Why, Mr. President, if it had not been for the financial policies of the Democratic Party which have been crystallized into law under the splendid leadership of Woodrow Wilson our country would have been bankrupt, so far as credit and money were concerned, within the first six months of the war.

We could not have built up the great fighting machine that our money and our genius and our patriotism produced except for the preceding legislation enacted by the Democratic Party. The Republican Party had been in power for many years and its statesmanship was so bankrupt that it could not and did not devise a fiscal policy that could ride the storms of a little financial flurry in 1907 and 1908, when the Republican Party was in power. The Republican Party was in power when the devastating financial storm of 1873 to 1877 swept over the Nation. The Senator will remember that in the year 1873, when the Republicans were in power, when practically all of the financial legislation upon the statute books was Republican, with the limited number of industries that were then in the United States, there were more than 7,000 failures, and in 1877, under Republican legislation, there were more than 10,000 failures in the United States; and the Senator, if he will reflect for a moment, must confess the fact to be that the financial legislation placed upon the statute books by the Republican Party was an anachronism. It did not rise to the demands of modern civiliza-

tion and the demands of business and of a progressive industrial Nation such as this.

Commissions had been created by the Republican Party from time to time to consider financial legislation, and they had utterly failed to function. Commissions had been created, too, for the purpose of providing tariff legislation, to the end that the tariff might be reduced and the burdens of taxation placed upon the people minimized; and notwithstanding a commission appointed by the Republican Party reported in 1883 in favor of a reduction of the tariff, a revision of the tariff in the interest of the consumer, the Republican Party, dominated by vested interests and the protected barons of the United States, increased the exactions that were wrung from the laboring men and the consuming public of the United States.

The Senator will remember, too, that later on, because of the failure of the Republican Party to deal with this great question as well as others in a proper way, his party was hurled from power. Great Republicans such as Senator Dolliver raised their voices in the Senate of the United States as well as elsewhere in our land, and denounced the Republican Party for its failure to meet the great issues of the hour and to enact legislation in the interest of the public weal.

The result was that patriotic Republicans, dissatisfied with the reactionary tendencies of their party, looked for leadership elsewhere, and hundreds of thousands of patriotic Americans gave their support to Woodrow Wilson and to the Democratic Party. Let me say that the wisdom of their course was vindicated in the legislation that was enacted by the Democratic Party when it came into power; and one of the great constructive measures of the party which is now criticized by my distinguished friend, known as the Federal reserve act, was passed over the bitter opposition of Republicans. That law commends itself to the judgment of the American people and the Republican Party dares not repeal it.

I challenge the Senator from North Dakota to offer a plank for insertion in the Republican platform, which is to be so varied in form and variegated in color and design, which is now being framed by Mr. Hays and his 171 varieties asking for the repeal of the Federal reserve act.

I should like that issue to be presented to the American people. The Senator dare not, nor dare any Republican, introduce a measure here for the repeal of the Federal reserve act. It carried us through this Great War. It furnished credit to the American people so that they might purchase the bonds issued by the Government, and which it was compelled to issue in order to raise the sinews of war. If it had not been for the credit afforded and provided by the Federal reserve act our bonds would have gone begging, and, if sold, sold only at a great discount.

Mr. President, I had not intended to discuss the Federal reserve act or to allude to it, but I was prompted by the question asked by the Senator from South Carolina [Mr. DIAL] to call attention to the report of the distinguished chairman of the committee, and I found in the report the words to which I referred, and which were a criticism of the Government of the United States, and a criticism which I construed to apply to the legislation which had been enacted to enable us to prosecute the war.

Mr. CURTIS. Mr. President—

Mr. KING. I yield.

Mr. CURTIS. I do not like to interrupt the Senator or to interfere with his remarks, but I wondered if he could not discuss the bill. We would like to get it through by 2 o'clock, if possible.

Mr. KING. To get what through by 2 o'clock?

Mr. CURTIS. The pension bill.

Mr. KING. The Senator from Kansas is exceedingly anxious to get certain legislation through. I wish the same anxiety had evinced itself upon the part of my distinguished friend when legislation important to the country was under consideration some time ago.

Mr. CURTIS. Mr. President, the Senator from Kansas has been here every day. The Senator from Kansas has voted on every question. The Senator from Kansas is ready to take up any kind of measure. The Senator from Kansas never made a speech to delay action upon any bill in this body, and never will.

Mr. KING. Mr. President, I am very glad to get the confession of faith of my good friend from Kansas. I did not mean to imply that the Senator from Kansas was an opponent of legislation, but I do assert that the Senator from Kansas and the party to which he belongs have upon many occasions, not this session—I am speaking purely impersonally and generally—opposed legislation which I conceived to be necessary for the welfare of the country, as I have opposed legislation which the Senator from Kansas and his party doubtless conceived to be necessary for the welfare of the country.

Mr. CURTIS. Mr. President, if the Senator will yield, the Senator from Kansas opposed many bills advocated on the other side and will continue to do so.

Mr. KING. I have no doubt about it.

Mr. CURTIS. But the Senator from Kansas never has risen on the floor of the Senate and attempted to talk a bill to death. The Senator from Kansas has always confined himself to the subject before the Senate.

Mr. KING. Mr. President, I am glad that the Senator from Kansas is such a shining light in the Republican Party.

I wish his colleagues would do the same thing. I wish the Senator from Illinois [Mr. SHERMAN], his colleague, had pursued that example when he aided other Senators in talking to death appropriation bills which were so indispensable for the welfare of the country. I wish the Senator from Kansas, who is so potential in the councils of the Republican Party and is the Republican whip of the Senate, had had sufficient influence with other distinguished Republican Senators to prevent them from defeating measures which carried millions of dollars needed for the welfare of the country, and the failure of which occasioned the calling of an extra session.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Utah further yield to the Senator from Kansas?

Mr. KING. I yield.

Mr. CURTIS. It is true that six appropriation bills went over, but those appropriation bills were passed before the money was needed, and under Republican leadership they were passed carrying over a billion dollars less than was estimated by the departments and over \$600,000,000 less than was reported by the party represented on the other side of the aisle.

Mr. KING. I have heard that statement—

Mr. CURTIS. It is absolutely true.

Mr. KING. I have heard that statement made at least three times by distinguished Republican Senators. The Senator from Kansas does not deny that the Republican Party filibustered and defeated needed appropriation bills. The Senator does not deny that Republicans have upon more than one occasion talked bills to death. I am not criticizing them for that. I confess that I would like to see many bills killed, killed by direct vote, killed by the intelligent action of Senators; but if they can not be killed that way, there is some legislation so vicious and so damnable and so un-American as that any parliamentary method is justified in encompassing its defeat.

Mr. President, I am not talking this bill to death. This bill is going to pass, and Senators need not worry. No Senator or combination of Senators can kill a pension bill. This bill will pass. Other pension bills will pass. We are going to pension everybody pretty soon, Mr. President. We are so altruistic, money flows so readily into the Treasury of the United States, that we feel it a solemn duty to get it out of the Treasury at the earliest possible moment. We should then congratulate ourselves upon our efficiency and economy. Of course, this bill will pass. It calls for only \$65,000,000, and the Senator from Kansas objects to a discussion of it for an hour. It was brought up during the morning hour.

Mr. CURTIS. Mr. President—

Mr. KING. Let me complete my sentence.

We entered upon the consideration of this bill a few minutes after 12 o'clock. As I recall, the morning hour was not granted to us, and we entered upon the consideration of this bill calling for \$65,000,000, and the Senator now, at a quarter of 2, asks if I am not through so that we can pass the bill by 2 o'clock, if I understood him correctly.

Mr. CURTIS. I have not objected to the Senator discussing the bill. The fact is, I asked him to discuss the bill. He has not been discussing the bill for three-quarters of an hour.

Mr. KING. Mr. President, the Senator from Kansas, unfortunately, was not here during all the time. I was discussing the bill. I was reading from the report of the chairman of the committee, the Senator from North Dakota [Mr. McCUMBER], and the report purported to be a discussion of the bill, and the report stated:

Had the Government by a general law increased the pensions of these soldiers from a \$20 to a \$30 per month stipend, and in the same law provided that this \$30 should be paid in Mexican dollars worth but 50 cents in American money, thus in effect reducing the pension to 15, this manifest wrong and injustice would have called for immediate correction. And yet this is exactly what has resulted indirectly through governmental action and policies. Through governmental laws and administration the purchasing value of these dollars which are being paid to the veterans of the Civil War has been decreased more than 50 per cent.

The distinguished chairman made the statement which I have just read, and I am not complaining at his report, because it is legitimate argument. I called attention to that, and during

a brief reference to it the chairman, the Senator from North Dakota [Mr. McCUMBER], interrupted me and gave his views as to what he meant and what legislation he had reference to in the sentence which I have just read. The distinguished Senator submitted an argument lasting 10 or 15 minutes in regard to the Federal reserve act and what he conceived to be its imperfections. He called attention briefly, as I had done, to the legislation, in which he had participated, enacted during this Congress for the purpose of raising money to prosecute the war. That is legitimate argument.

The argument of the Senator about the unwise legislation, if such be the case, was legitimate argument. I am replying to that in a feeble way, and my distinguished friend from Kansas is dissatisfied with my argument; and perhaps others may be. I am not wholly satisfied with it myself. But it was the best I could make in an impromptu way as a reply to the presentations of my good friend, the Senator from North Dakota [Mr. McCUMBER].

Now I beg of my friend from Kansas not to be too impatient. He is going to get this bill through. It is only \$65,000,000. What is that between friends? What is that when an election is before us? The Senator from Kansas has in his State a large number of soldiers of the Civil War, and their relatives, their grandchildren, their great grandchildren, their uncles, their aunts, and their alleged dependents. An election is at hand; it will soon be here. The ides of November are before us. The specters of Republican defeat are rearing their ugly heads, perhaps not in Kansas, and yet I hope that the people of Kansas will see the light; but in other parts of the United States. This is an important election. The Republicans want control of the Presidency. They want to control the destinies of this Republic.

Of course, the appropriation of millions of dollars from the Federal Treasury and its distribution throughout the States of the Union will excite attention. It may provoke some little gratitude in the hearts of the beneficiaries. Some great grandchild of some man who was a thousand miles from the battle field, who never saw a cannon or performed military service, doubtless would feel profound gratitude to the Republican Party if he could receive a pension before election.

Of course, it is important, Mr. President, to get this \$65,000,000 out of the Treasury as soon as possible, and then more. This is not all. This is just the beginning of the assaults which we are to make upon the taxpayers of the country. Let us open up the floodgates of the Treasury and pour out the money, but do not tell the people we have to tax them. Do not have a sales tax. Make the people believe we can appropriate money and not tax them in order to get the money into the Treasury for the purpose of taking it out of the Treasury for distribution throughout the United States.

There was a time when it was deemed proper for Senators to discuss appropriation bills which came before them for consideration. It is now highly improper. We have spent less than one and a half hours in considering a bill carrying \$65,000,000, and yet the whip of the majority party is impatient and complains because we do not pass the bill before 2 o'clock.

I have not yet, nor has any Senator, discussed the various provisions of the bill. No time has been devoted to delaying action. There should be more and freer discussion of these appropriation bills which take millions and hundreds of millions of dollars from the Treasury.

I shall not attempt to prevent a vote on this bill. I know the temper of the Senate. But I shall not be deterred from fairly discussing this bill and any other measure that may come before this body. I shall when I deem it proper challenge attention to improper legislation and to extravagant appropriations.

Mr. President, when I was interrupted by the Senator from South Carolina I was reading a few excerpts from the admirable address made yesterday by the distinguished chairman of the Committee on Appropriations of the House, Mr. GOOD. He states that the Government will expend for the year ending June 30, 1920, on account of soldiers and sailors, \$263,968,993. That means the soldiers and sailors of the present war. He further states that the estimates for the fiscal year ending June 30, 1921, for the same purposes are \$458,440,000. Mr. President, add those sums—and those are only a small part of what doubtless will be appropriated—to the \$223,000,000 carried now by existing law for the soldiers and sailors of the Civil War and their dependents, and those who come under the act, and the \$65,000,000 which this act carries, and we have nearly a billion dollars, exclusive of the amounts which no doubt will soon be appropriated as bonuses or largesses or gifts, or what not, under legislation now pending in the other branch of Congress.

It looks as though we might be called upon, Mr. President, for appropriations for the coming year of at least \$3,000,000,000 for the Army and the Navy and for the soldiers and for pensions for soldiers. It may be considerably more than that. Then we have the other expenses of the Government. So that when the entire budget is made up I doubt not but what our appropriations in the second year of peace after the war will approximate five or six billion dollars.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. The statement the Senator is making is very interesting, and more interesting to me in view of the Senator's vote yesterday on a bill which will cost the American people over \$600,000,000 per year. As compared to this bill, it is like a mountain as compared with a molehill. At one blow yesterday, on one vote, we passed a bill calling for the expenditure of over \$600,000,000, when the greatest military nation on earth has never expended over \$200,000,000 a year in a time of peace.

Mr. KING. Mr. President, I should like to say a few words in regard to the military bill that passed yesterday, but I shall not be diverted from the discussion which is now before us, particularly in view of the fact that the Senator from Kansas has rather chastised me for not sticking to my text. I will add, however, that I am opposed, as all Americans are, to militarism. The bill which passed the Senate yesterday did not meet my approval. It was defective in many, many ways, and contained provisions obnoxious to me.

I am not a member of the Military Affairs Committee, as is the Senator from Tennessee. But upon that committee are some of the ablest and most patriotic Members of this body. They have studied the military needs of this country for years. They submitted a bill as the result of months of constant labor. Those not members of the committee were compelled to rely, in part, upon those able and distinguished Senators. Some measure was necessary. Indeed, Congress can not adjourn without passing a military bill. Without full knowledge of the intricate and complex subject, I voted for the bill, as did all Senators, except 8 or 12, as I recall. Rather than have no bill, I voted for it.

I felt that in conference it will be materially modified and improved. We vote for bills frequently which are wholly distasteful, believing that in conference features which are obnoxious will be eliminated, and that there will emerge from the conference committee a measure which will meet our views.

But, Mr. President, the Senator from Tennessee claims too much. He contended during the discussion of the Army bill that it was a bad piece of legislation and denounced it then as a Prussian measure and as indefensible. His arguments were denied by able Senators. There are no Members of this body who favor a Prussian military system; those who championed the bill are as patriotic and as interested in the preservation of this Republic as is the Senator from Tennessee. They deny that the cost will be as great as the Senator contends. The bill itself proves that it creates no army such as Germany possessed.

But, Mr. President, we may have appropriated too much for the Military Establishment for the coming year. Concede it.

That is no suitable reply to the present bill or a justification for extravagance in the administration of the affairs of the Government.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator yield further to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. I merely wish to say that in 1916 Congress passed what, in my judgment, was the best preparedness bill that was ever passed by the Congress in its history. Every detail of the military situation was provided for in that law, and it has been effective for only four years. Under that law as a groundwork this Nation won the greatest military victory that had ever been won in its history, or in the history of any other nation, and there was no necessity at all for the repeal of that law and the passage of a bill providing for a great military system fashioned after the German military system. There was no necessity whatever for it; and I am frank to say, knowing the Senator's views on economy as I knew them and knowing his views about legislative matters generally as I knew them, I never was more surprised in my life than when I found the Senator voting for a bill of that kind, vicious as I believe it was.

Mr. KING. I am sorry the Senator from Tennessee was not able to impress his views a little more effectively upon his colleagues on the Military Affairs Committee. He is a member of

that committee; unfortunately, or fortunately, I am not. He has been associating with the committee for three years. I regret that he was not a better proselyter, and that he did not accomplish more in impressing upon the committee the views which he entertains. Perhaps, after all, his colleagues are not as derelict as he would have us believe them to be. I was absent from the city when the Army bill was under discussion, but I am advised that the Senator's views were then fully presented. Replies were made by his colleagues upon the committee. Certainly these patriotic Senators would not have given support to the bill if it was as bad and vicious as the Senator asserts it to be. Moreover, the bill, as I understand, may be called an administration measure, as I believe it has the support of the Secretary of War.

RIVER AND HARBOR APPROPRIATIONS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. JONES of Washington. Mr. President, the Senator from Missouri [Mr. REED] is desirous of speaking on the river and harbor bill. He is not prepared to-day, but said that he would be ready to-morrow. Under those circumstances I take it that we will be unable to get a vote on the bill to-day, and so I ask unanimous consent that the unfinished business may be temporarily laid aside, in the hope that the Senator from North Dakota [Mr. McCUMBER] may proceed with his bill.

Mr. KING. Mr. President, the river and harbor bill is before us. It is very important, and I think we ought to dispose of it to-day.

Mr. JONES of Washington. I should like to dispose of it to-day, but from what I am told I do not think it is possible to do so. I should like to accommodate the Senator from Missouri [Mr. REED], who is very anxious to discuss a matter of very great importance in the bill, and he said he would not be ready until to-morrow. I do not desire to put the bill in the attitude of being held before the Senate when we can not get a vote on it to-day. So I think we might just as well go on with the pending pension bill. It can be disposed of to-day very likely, and then we can take up the river and harbor bill to-morrow.

Mr. THOMAS. May I ask the Senator why we could not complete the river and harbor bill save as to the feature to which the address of the Senator from Missouri will be directed?

Mr. JONES of Washington. The bill is practically completed except for the proposition which involves the sum that we are to appropriate, whether it is to be large or small.

The PRESIDING OFFICER. Is there objection to laying aside temporarily the unfinished business, as requested by the Senator from Washington? The Chair hears none, and it is so ordered.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I ask the Senate to continue the consideration of House bill 9369.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War; to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines; and to certain Army nurses; and granting pensions and increase of pensions in certain cases.

Mr. McCUMBER. Mr. President, it had been my intention to open up the discussion of this subject by presenting some of the salient facts, but the Senator from Utah [Mr. KING] was so earnest in his desire to record his opposition to the bill that he interrupted me in my intended address at that time upon the general subject, and he took all the time until the expiration of the morning hour. I do not object to that at all. I am entirely satisfied that he shall present his views in the first instance. I think they can all be met.

The Senator and myself generally agree fairly well upon nearly all matters of legislation. There is little ground for even a partisan quarrel between us. I am not complaining of the Senator from Utah that he considers it necessary at all times to come to the defense of the Democratic administration. I think if I were a member of that party I would feel it incumbent upon me to spend most of my time in defending the administration during the last year or two, and therefore I certainly can not criticize the Senator from Utah.

I was rather surprised, however, that the Senator from Utah spent so much of his time in the defense of the Federal reserve banking laws when at the same time and almost in the beginning of his address he agreed with me that the criticism that I

urged against that law was a most valid criticism. If the Senator from Utah had followed his argument a little further, he would also have arrived at the conclusion that all the inflation of our currency results entirely from one great defect in the Federal banking law, a defect which was pointed out at that time and again and again asserted upon the floor, that it would result in a great inflation of the currency. I have reference to that provision, and that alone, of the Federal reserve act which allows expansion of the currency; in other words, the issuing of Federal reserve notes, without any interest, for a given length of time. I felt at that time and so stated on the floor that I feared the speculative tendency of the American people, their habit of carrying on business with borrowed money would always result in a large amount of this currency remaining outstanding and unredeemed. That result has followed.

It is the only criticism I have ever made of that banking law. I think that on the whole it is a very good law, and if we would so modify it as to make the elasticity work both ways, so as to compel a contraction as well as an expansion, we would have perhaps as nearly a perfect system as we could devise. So the criticism was not made with any spirit other than to present what I considered to be the cause of the present greatly inflated currency and with its natural consequence of inflated prices.

Mr. OWEN. Mr. President—

The PRESIDING OFFICER (Mr. Smoot in the chair). Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I yield.

Mr. OWEN. I wish to remind the Senator that the real inflation which has taken place in the country is the expansion of credit through the issuance of twenty-six billions of bonds, and because of the activities during the war the deposits of the country increased \$20,000,000,000 also. That is the great inflation. But these Federal reserve notes have a provision by which whenever they leave their own districts they are immediately redeemed in gold, and they are going through a daily gold redemption. I happened to be in Nashville a few days ago, where we have a branch bank, and I went into the room where they were dividing out the Federal reserve notes which had come through their office. They had reserve notes from other districts all over the Union, which they were assorting for the purpose of sending in for immediate redemption. The notes, of course, are called for as actual currency by the different banks where they need currency, so that the issue goes out in response to the commercial demand.

There has been, because of the diminished purchasing power of the dollar, due to inflation of credit, a necessary expansion of actual currency, because the merchants of the country find it necessary to have twice as much currency as they had before, since the purchasing power of the currency has diminished because of the expansion of credit due to the war.

Mr. McCUMBER. I hope that we have reached about the end of excessive issues of Federal reserve currency. I hope that we have reached the high point, but there has been very little redemption within the last year. For instance, at the close of 1919 we had outstanding \$3,565,000,000 in Federal reserve notes. April 19, two days ago, the amount was \$3,519,123,000. So the Senator will see that there has been practically no contraction even during these times of peace. On the contrary, since we ceased to issue bonds it has grown greater than it was even when we were issuing bonds for the purpose of maintaining our war activities.

I am not particularly criticizing the law itself. I think that is a weakness. It is the position I took at the time. I can not agree with the Senator from Utah [Mr. KING] that this banking legislation was purely a Democratic measure. It really originated with the Republican Congress when we first provided for a commission to study the financial situation of the countries of the world.

Mr. OWEN. Mr. President—

Mr. McCUMBER. Just a moment. We then brought back the report. It was not a partisan question at that time, and I do not think it has ever been a partisan question. The only difference probably in the conclusions was that in the first report the general idea was that we should have one grand central bank instead of having 12, as was afterwards provided; but the principles were the same. I think the Senator from Oklahoma [Mr. OWEN] will agree with me that we have never regarded this enactment as a matter of partisan legislation. I now yield to the Senator from Oklahoma.

Mr. OWEN. I call the attention of the Senator from North Dakota, when he speaks of the legislation as originating with the Republican Party, to the fact that the real principle which lay underneath the Federal reserve act, which lay beneath the

Vreeland-Aldrich Act, was quick currency against adequate security under an interest charge to prevent inflation. That is the principle of the Reichs Bank of Germany. It was first presented in the Senate of the United States in 1900 by James K. Jones, the leader of the Democrats at that time. He offered it as an amendment to the then pending Aldrich bill, and it was rejected by Mr. Aldrich as not germane. The principle afterwards was written into the so-called Vreeland-Aldrich Act, and that act served a useful purpose in what would have been a panic in August, 1914, by providing a means for quick expansion of currency under the safeguards which I have enumerated; that is, that it should be issued against adequate security under the penalty of an interest charge; but the principles were first presented in the Senate by James K. Jones, the leader of the Democrats in the Senate, in 1900.

Mr. McCUMBER. I do not think there is any disagreement between the Senator and myself on that point. I do not know that it is important to discuss what political party is entitled to the credit for the law or what political party is responsible for the criticism which I urge against it, and that is that there is not a sufficient penalty to force a contraction of currency after it has once been expanded.

The Senator from Oklahoma [Mr. OWEN], I know, did not agree with me at that time, but the fact remains, no matter what you may say the cause may be, that we have an enormous inflation and that, together with the balance of trade and the gold that we have brought into the United States, has so increased the circulating medium that our yardstick for measuring the prices of all commodities has greatly lengthened, and necessarily the prices of those commodities must come up to meet the increasing length of our yardstick.

Mr. OWEN. Mr. President, I desire, in the interest of truth as I understand it, to call the attention of the Senator from North Dakota to the difference between the expansion of currency and the expansion of credit. When the United States issues \$26,000,000,000 of bonds, when bank deposits increase \$20,000,000,000, as they have done during the last seven years evidently, regardless of the quantity of currency, men who have bank deposits or men who have United States bonds can easily avail themselves of them as a means of getting currency or getting credit, which is the same thing. Men ordinarily pay their debts by checks on banks rather than in currency. So I think the Senator is greatly mistaken in attributing the diminished purchasing power of the dollar to the excessive issues of Federal reserve notes. It is due to the unavoidable expansion of credits in the form of bonds and in the form of bank deposits which have grown out of the war.

There is a vast difference between the two. While the actual currency of the country was expanded, and it was expanded by \$1,100,000,000 in gold, for that matter, which came into us in exchange for our excess commodity shipments abroad—and that had its effect, as the Senator argues, in diminishing the purchasing power of the dollar—yet the real or fundamental cause, the big cause, is the expansion of credit and the expansion of bank deposits. I think if the Senator will give that question his consideration he will be obliged to agree to my statement.

Mr. McCUMBER. Mr. President, I think all of those conditions enter as elements into the expansion. I can hardly agree with the Senator, however, that they are the principal cause. I think the principal cause, as shown on its face, is the enormous increase in Federal reserve notes which pass current throughout the country as money. But, Mr. President, I am afraid we are drifting from the bill itself, and I shall return to it.

The Senator from Utah [Mr. KING] has discussed the question of the obligation of the Government toward the soldiers of the Civil War and has declared that the Government has never entered into a contractual relation with Civil War pensioners to the effect that it would maintain the purchasing value of the pension dollar. That is certainly true; there is no contractual relation whatever between the Government and the old soldiers as such. It is simply a question of our gratitude toward the old soldiers.

I confess that I entertain a sentiment of gratitude toward the old soldiers of the Civil War stronger than that which I entertain toward those of any other war. I can not forget the fact that, when this Nation was on the brink of being torn asunder, there was a strong sentiment in the Northern States, as there was elsewhere, that the South ought to be allowed to go their own way, if they saw fit, so that no man enlisted in the northern Army that did not subject himself to a degree of animosity on the ground that he was attempting the coercion of a number of the great States of the Union. He knew that he was to battle against brothers of his own blood, against those of his own nationality. He was not brought into the conflict by any character of coercion; there was no selective-draft law; he enlisted

because he felt that the life of the Government was at stake, and he fought to save this Nation; he battled during those four years against his own kith and kin and race for the purpose of maintaining one United States of America. By his suffering he kept the flag of the Union in the skies; by reason of his courage and his patriotism we have one great, grand, strong country to-day. So I feel that there is a deeper obligation resting on the Government of the United States toward these old veterans of the Civil War, who saved us a Nation, than there is existing toward the soldiers of any other war in which we have ever been engaged. I want to treat all our soldiers justly and fairly and to show our appreciation of the services of all; but when these old men, the majority of whom have already passed beyond their seventy-seventh year, suddenly find confronting them a condition which, so far as they are concerned, amounts to a calamity, whereby the dollars upon which they are dependent to sustain them until they shall be carried to the grave, have been reduced to about 40 per cent of their ordinary purchasing value in a very few years, I feel that then it is incumbent upon us that there is an obligation resting upon our conscience to make good to them the difference between what those dollars would have purchased a few years ago and what they will purchase to-day.

It is immaterial what the cause, the fact remains that the \$37.50, which is the average amount granted to these pensioners by the old law, will not to-day purchase more than one-half of what it did when the law was enacted; and if we owed a duty to them to increase their pension at that time, we owe a duty now again to increase it to meet present conditions, not because of a contractual obligation but because of our gratitude toward those men who saved us a country.

Mr. President, I have shown the fact of inflation and its effect. Inflation does not affect the ordinary individual; the laborer can command three times as much for his labor as he could 5 or 6 years ago; the merchant can mark up his goods over night 20 per cent, he can add another 20 per cent to-morrow, and another 20 per cent the next day in order to meet his necessities and the condition brought about by the expansion of the currency, but the old veteran, who can no longer toil, can not add 20 per cent to the purchasing value of the dollar which he must trade for those goods.

Mr. SIMMONS. Mr. President—

Mr. McCUMBER. I yield to the Senator from North Carolina.

Mr. SIMMONS. I wish to ask the Senator a question simply for information. The Senator is chairman of the Committee on Pensions; and I understand from his remarks that the pending bill proposes to increase certain pensions because of the reduced purchasing power of the dollar incident to the present extraordinary condition of affairs in this country?

Mr. McCUMBER. It can be based upon that ground or upon the further ground, which, of course, is more or less dependent upon the first, that it is necessary if we intend to prevent suffering among the old soldiers.

Mr. SIMMONS. The question I wish to ask the Senator is this: Is it proposed to make that increase permanent or only temporary; and, if temporary, what is the length of time contemplated during which the increase shall be effective?

Mr. McCUMBER. Mr. President, it is made permanent, of course.

Mr. SIMMONS. Does the Senator think it should be made permanent?

Mr. McCUMBER. The Senator and I will never live to see the day when conditions will return to what they were three or four years ago.

Mr. SIMMONS. I agree entirely as to that.

Mr. McCUMBER. I have not the slightest expectation of our ever getting back to the condition which existed then; and I do not think that there will be many of the old soldiers who will live long enough to see any particular reduction in the cost of commodities.

Mr. SIMMONS. Mr. President, while I agree with the general statement of the Senator that neither of us will live long enough to see prewar conditions prevail again with reference to prices, I hope that we shall both live long enough to see very materially reduced the high prices that now obtain by reason of the small purchasing power of the dollar. I do not expect to see prices as low as they were before the war; but I do expect, not in the immediate future but within a reasonable time, to see some abatement in the present high prices; in fact, unless some abatement can be effected we will go on climaxing and pyramiding until finally we shall have a disastrous collapse in this country which will of itself force a new and better condition.

It does seem to me that if the bill, of which the Senator is in charge, proposing to grant the large increase which he has been discussing is justified by existing conditions—and I am not advised as to the exact increase which the bill proposes to make,

but I assume that to meet the condition of a 40-cent dollar which he has outlined, of course, the increase proposed must be large—then there ought to be some time limit placed upon that increase, and if conditions shall be the same when the time limit expires, as they are to-day, then we can continue the increase; otherwise I predict now—and I wish to impress this upon the Senator—that we will never, whatever the change in conditions may be, be able to reduce these pensions below the rate which it is now proposed to fix.

Mr. McCUMBER. Mr. President, if the Senator from North Carolina will fix a time limit for the high cost of living, I will agree to fix a time limit to correspond with it upon the pensions that will be granted to meet that condition. The Senator, of course, can not do that.

Mr. SIMMONS. Of course not.

Mr. McCUMBER. That is an impossibility. I do not look for any material change for many years; in fact, I expect to see the high cost of living increased very rapidly during the next year, due to several factors, for one of which Congress will be responsible, namely, the enormously increased expenses and taxation. The second factor is underproduction, due to the fact that we will grant so many favors to so many people that they will live upon gratuities without being compelled to work and add to the production of the country.

Mr. SIMMONS. Mr. President, of course, there is a difficulty about fixing a time limit, but we have met that difficulty with reference to the salaries of Federal employees by giving a temporary bonus instead of by increasing their salaries.

We gave them a bonus of \$240 per year. We did that because we preferred to do that rather than to increase their salaries, and we preferred to do that rather than increase their salaries for the reason that if we increased their salaries we did not know how we would get those salaries back to normal when the unusual conditions and the emergency calling for this increase passed away. Now, rather than to grant this permanent increase I think it would be better public policy to give the soldiers an additional pension each year, just as we extend the bonus from year to year, or to put in effect some other plan that would avoid this permanent increase, which I fear if now made in the form that it is proposed will become permanent, whatever may be the change in conditions, permanent even if the conditions within a few years should return to those that obtained before the World War.

Mr. McCUMBER. Mr. President, I think we would have difficulty in adjusting a proposition of that kind to the situation either as it exists to-day or as it may exist to-morrow. If there is anything that the old soldier is entitled to to-day, it is enough to ease his way toward the end, and also a certainty that it will be forthcoming.

Mr. SIMMONS. I fully sympathize with the views of the Senator in that regard, and certainly I would do nothing or say nothing that would deprive these old veterans of the necessary comforts of life in their last days; but what I arose the second time to say was this: I do not mean, by what I have said with reference to a bonus, to make any suggestion of a plan. I simply wished to call the attention of the Senator to the fact that this increase made now, unless something is done to place a limitation upon it, will, in my judgment, become a permanent increase.

Mr. McCUMBER. It will become permanent, in my opinion, also so far as these soldiers are concerned, but that permanency can not last very long to men who are 70 or 80 years of age. It must, in the very nature of things, come to an end very soon, and in my opinion it will come to an end a great many years before there is any particular reduction in the present cost of living.

Mr. SIMMONS. Does not your increase apply to all the pensions that are now paid to the Civil War veterans and their dependents?

Mr. McCUMBER. The Civil War veterans and their widows and those dependents whose status is fixed by law.

Mr. SIMMONS. Then the increase that you make now, if it becomes permanent, will be a permanent increase in the pension indebtedness of this country until the last one of these old veterans and their pensionable dependents shall have died?

Mr. McCUMBER. Yes.

Mr. SIMMONS. Does not the Senator know that that will not be during his day, nor during my day, nor during the day of any other man in this Chamber?

Mr. McCUMBER. Oh, certainly; there will be some few widows who were rather young when they married some soldiers who were past middle life who undoubtedly will be living after I have passed out of this world. I expect that, and I want to say to the old soldier who leaves this widow: "Because of the gratitude which I have in my heart for your service, because

of what you have done for me and mine and this country, I am willing that not only I but my children and my children's children shall tax themselves this little amount to protect you and yours."

Mr. THOMAS. Mr. President—

Mr. SIMMONS. The amount of the present pension, of course, nobody thinks of disturbing now or at any future time; but the Senator is asking us to give them more now, because he says a condition has arisen in this country that has reduced the purchasing power of the dollar. The Senator would not want that increase to continue for any longer than that condition continues, would he?

Mr. McCUMBER. I would not wish it to continue any longer than the condition continues; but I know that the condition will continue. I feel certain that it will. I can not see any possibility even of a material change.

Mr. SIMMONS. Therefore the Senator, although he may be mistaken in that view, would fasten upon the country permanently a large additional pension indebtedness with no way of getting rid of it.

Mr. McCUMBER. Oh, there is a way of getting rid of it. The appropriating power of Congress will continue year after year, and if next year Congress thinks this is too much and that it should reduce the amount Congress has the power to do it.

Mr. SIMMONS. Has the Senator ever heard of Congress reducing a pension once fixed?

Mr. McCUMBER. No; and I do not want to hear of it.

Mr. SIMMONS. Does the Senator believe that Congress ever will do it?

Mr. McCUMBER. No; but the Senator brought that question up himself. I say the power of Congress to make the change exists at all times. I would rather make it permanent and leave it for Congress to determine whether or not it ought to make a change afterwards.

Mr. SIMMONS. I did not mean that the power would not exist, but I meant that once you increase the pension you will never reduce it.

Mr. McCUMBER. I think there will never be an occasion for decreasing this amount.

The Senator speaks about this being a large sum, a heavy burden. So it is. Sixty-five million dollars will probably be added to the pension cost during the year 1921; but let me ask those Senators who object to this added sum if they have considered it in connection with the vast sums that have been paid out and are being paid out to the soldiers of the war of 1917 and their dependents? I think when you stop to contemplate what you did for the soldiers of the Civil War and what you are asked to do for them to-day in comparison with what you did for the soldiers of 1917 and what you are doing for them to-day, you will not fail to draw the conclusion that your duty is to take care of these old soldiers with this additional sum.

Let me call your attention to the fact that we never passed a general pension law for the benefit of those who had not been injured in the Civil War until 25 years after the close of that conflict. We never took any steps to take care of that class of the soldiers of the Spanish War for 20 years after the close of the Spanish War. We began to look after the interests of the soldiers of 1917 within 25 minutes after we called them into the Army. Let us see what we have paid out for their benefit. I am not complaining of these sums, but I want to have the Senators view the two sides of this ledger dispassionately and fairly, and it may help them in arriving at some conclusion as to what their duty is if that duty is to be gauged in any respect by comparisons.

At the close of the present fiscal year there will have been paid out in allowances for the families of the soldiers of the late war \$280,000,000. That is for the families alone. The payment of the \$60 bonus to persons serving in the war of 1917 has not been completed, but the estimated amount is \$256,239,900. The Federal Board for Vocational Education, which affects only the soldiers of the late war, calls for \$125,000,000. The Bureau of War Risk Insurance calls for \$197,865,600. The Public Health Service, for care of war-risk insurance, asks for \$10,000,000. Now, here is a total which will be paid out, even without the bonus bill that is now before the other branch of Congress, to these soldiers of the present war up to 1921, of \$869,105,500.

Now comes this other bonus bill, which will pass the House and in all probability will pass the Senate, that will carry about \$2,000,000,000 more, and all this within less than two years after the close of the late war. That will take \$2,869,105,500.

Why, Mr. President, we have paid out up to date for the soldiers of the last war, to their families, a sum that we did not equal in our appropriations for the Civil War veterans for a period of 40 years after the close of that war. While we are

paying out these vast sums to young men who have the grandest opportunity that the world has ever known for earning money, we ought to take into consideration the distress that naturally comes to those old men who have long since passed their age of earning.

From all this, Mr. President, I can not fail to recognize the fact that in our enthusiasm we are rather overdoing the principle of generosity for the men of the late war and are liable to underdo our duty toward those old men of the war of 1861-1865.

I think, Mr. President, the bill as proposed to be amended by the Senate committee ought to pass. Senators think it is going to be a heavy drain upon the resources of the country. Let me give Senators but one little item which you can cut out of the appropriations for this year which will more than take care of this charge upon the Treasury. You will be asked to appropriate \$75,000,000 for good roads to assist the States. It will take but \$65,000,000 to take care of this added cost in pension legislation. There is no question but what the good roads would be a great benefit to autoists, not only of the present generation but possibly those who come after it, but has it ever occurred to you that these old soldiers are, most of them, even too old to take auto rides at the present time, and that they will receive practically no benefit from that source?

I think we could get along one year without adding to this expense for the good roads. I could pick items out of appropriation bills which would amount to at least \$2,000,000,000 that you could easily dispense with and not load upon the American people at the present time. But my voice and sentiment in the matter will not carry very far. I know we are going to spend over \$6,000,000,000 this year, and all the arguments we could make against it would not stop that appropriation.

I can not agree with the Senator from Utah that those who espouse this bill are influenced in the slightest degree by what effect it will have upon the votes of these old soldiers. I think the Senator from Utah did his own judgment an injustice when he suggested that in his colloquy with the Senator from Kansas [Mr. CURTIS]. These old men, as I said, are from 77 to 90 years of age. I think since the Civil War 99 per cent of them have every year voted the Republican ticket, and I do not believe that they would change in their affiliation with that party if we should fail to grant them this sum, and I do not think the few who are Democrats to-day will change in their affiliation because we shall grant them this little increase. I do not think it will have the slightest effect on them.

The Senator from Utah called attention to the fact that witnesses testified on behalf of the Grand Army of the Republic that they would not come back again to the United States Congress for a further pension. That is true; but that was when their dollar would purchase a dollar's worth of commodities. It will not purchase more than 50 per cent of the same commodities to-day, and therefore they are justified in asking for this raise.

Mr. President, I want to call the attention of the Senator from North Carolina [Mr. SIMMONS] to another feature which we ought to take into consideration. The total number of Civil War soldiers on the pension roll on June 30, 1919, was 271,391. In 1898 there were 745,822 upon the roll. There are only about one-third as many now as there were then. We know, when we take into consideration that they are, on the average, probably above 77 years of age to-day, that the death rate will be exceedingly rapid with them in the next 5 or 6 years. In 10 years the roll will be exhausted. This number will probably be reduced next year to about 240,000.

The total number of widows of Civil War veterans on the pension roll on June 30, 1919, was 293,244. Their greatest number was in 1912, when it was 304,373. As a rule, it may be said that 95 per cent of the widows of these old soldiers are but a few years younger than the soldiers themselves. I know there has been a great deal of talk about young women marrying old soldiers to get the benefit of the pension laws, but that does not apply to 1 in 25,000. It is not worth the slightest consideration. The widows will decrease in number almost as rapidly as the old soldiers themselves. The last two years have shown a decrease of nearly 20,000 a year, and there will probably be 40,000 less of the widows to be appropriated for for 1922 than there will be for the year 1921, and in five years the great bulk of all the ex-soldiers and their widows will have passed to the great beyond and we will be called upon for very little pension legislation to take care of their interests.

Coming to the War with Mexico, there were only 215 of those veterans on the roll on June 30, 1919. There are probably less than a hundred of them to-day. Probably in two years there will be less than 20 of them.

Mr. President, it is because we felt that these few widows of the veterans of the War with Mexico and the few soldiers of that war should be included in the benefits of this act that we amended the bill as passed by the House and added them. We also increase to some extent the pensions for those who have lost limbs or become blind.

I think that under the present situation we ought to pass the bill as it is now proposed to be amended by the committee and assist these old veterans in their few remaining years, and I think this will be really the last general bill which will be passed for their benefit. I disagreed with them when they thought a few years ago it would be the last one, but I think we can care for those who will not be sufficiently cared for in this bill by private pension legislation which we will still enact to meet special cases.

Mr. SIMMONS. I wish to ask the Senator what is the total amount carried by the bill?

Mr. McCUMBER. It is estimated that for the next year there will be \$65,000,000 added. Of course, then it will immediately decrease very rapidly.

Mr. SIMMONS. What would have been the amount carried on the present basis?

Mr. McCUMBER. It was \$222,000,000 last year, and I have just been informed that it would have been \$214,000,000.

Mr. SIMMONS. On the present basis?

Mr. McCUMBER. Yes.

Mr. SIMMONS. With the increase it will be what?

Mr. McCUMBER. That would add sixty-five million. Mr. President, I ask now that the Senate proceed with the consideration of the committee amendments.

The PRESIDING OFFICER. The question is on agreeing to the first amendment reported by the Committee on Pensions.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 12, after the word "duty," to insert "and every person who served 60 days or more in the War with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom"; in line 17, after the word "physical," to insert "or mental"; in line 18, before the word "regular," to strike out "constant or"; and in line 19, before the word "aid," to insert "personal," so as to make the section read:

SEC. 2. That every person who served 90 days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged therefrom, or who, having so served less than 90 days, was discharged for a disability incurred in the service and in the line of duty, and every person who served 60 days or more in the War with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, and who is now, or hereafter may become, by reason of age and physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to require the regular personal aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of \$72 per month.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 2, after the word "same," to strike out "or shall have sustained a disability equivalent thereto"; in line 7, after the word "same," to strike out "or shall have sustained a disability equivalent thereto"; and in line 13, before the word "shall," to strike out "or shall have sustained a disability equivalent thereto"; and in line 17, after the word "same," to strike out "or shall have sustained a disability equivalent thereto," so as to make the section read:

SEC. 3. That from and after the approval of this act all persons whose names are on the pension roll, and who, while in the service of the United States in the Army, Navy, or Marine Corps during the Civil War, and in the line of duty, shall have lost one hand or one foot or been totally disabled in the same, shall receive a pension at the rate of \$60 per month; that all persons who, in such service and in like manner, shall have lost an arm at or above the elbow, or a leg at or above the knee, or been totally disabled in the same, shall receive a pension at the rate of \$65 per month; that all persons who, in such service and in like manner, shall have lost an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint or where the same is in such condition as to prevent the use of an artificial limb, shall receive a pension at the rate of \$72 per month; and that all persons who, in such service and in like manner, shall have lost one hand and one foot, or been totally disabled in the same, shall receive a pension at the rate of \$90 per month.

The amendment was agreed to.

The next amendment was, in section 4, page 3, line 23, after the word "for," to insert "or died in service of"; on page 4, line 1, after the word "Domini," to strike out "1915" and insert "1905," so as to read:

That the widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for 90 days or more, and was honorably discharged from such service, or regardless of the length of service was discharged for or died in service of a disability incurred in the service and in the line of duty, such widow having been married to such soldier, sailor, or marine prior to the 27th day of June, A. D. 1905, shall be entitled to and shall be paid a pension at the rate of \$30 per month.

Mr. CURTIS. Mr. President, I hope the Senator in charge of the bill will not insist upon the amendment inserting 1905. If the bill is made to apply to widows who married soldiers prior to 1915, that goes back five years, and it seems to me that it should not go back any further. In passing these bills heretofore a limit of five years, I think, has been fixed, and I hope the Senator will not insist upon that amendment reducing it to 1905.

Mr. McCUMBER. Mr. President, there has been so much criticism, though I admit it is uncalled for, of these bills because they included widows who were married after 1900, that the committee felt there would be less objection to the matter, and we could settle it in conference if we made this change. I would prefer to have the committee amendment agreed to and leave it for further consideration in conference.

Mr. CURTIS. I move to strike out the numerals "1905" and to insert in lieu thereof the numerals "1910." I am in favor of the House provision, but offer this amendment so that the conference may be limited to the years between 1910 and 1915.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas to the amendment of the committee.

Mr. DIAL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Glass	McKellar	Smoot
Calder	Harris	McNary	Spencer
Capper	Harrison	New	Sutherland
Chamberlain	Jones, Wash.	Nugent	Thomas
Curtis	Keyes	Page	Townsend
Dial	Kirby	Pittman	Underwood
Dillingham	Lenroot	Sheppard	Wadsworth
France	Lodge	Simmons	Warren
Gerry	McCumber	Smith, Md.	

Mr. GERRY. I wish to announce that the Senator from South Carolina [Mr. SMITH], the Senator from Louisiana [Mr. RANDELL], the Senator from Wyoming [Mr. KENDRICK], and the Senator from North Dakota [Mr. GRONNA] are absent on official business.

The PRESIDING OFFICER. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators.

The PRESIDING OFFICER. Thirty-five Senators have answered to their names. There is not a quorum present.

Mr. CURTIS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. NELSON, Mr. OVERMAN, Mr. McCORMICK, Mr. POMERENE, Mr. SWANSON, and Mr. KNOX entered the Chamber and answered to their names.

After a little delay,

Mr. COMER, Mr. SMITH of South Carolina, Mr. RANDELL, Mr. KENDRICK, and Mr. GRONNA entered the Chamber and answered to their names.

Mr. SMITH of South Carolina. Mr. President, I think it ought to be stated that, in conjunction with other Senators who have just entered the Chamber, I have been very busily engaged on an important matter in one of the committees.

Mr. MOSES, Mr. PHIPPS, Mr. STERLING, and Mr. WATSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. CURTIS] to the amendment reported by the committee.

Mr. THOMAS. Let the amendment be stated, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 4, line 1, it is proposed to strike out the amendment of the Committee on Pensions changing the numerals "1915" to "1905" and to insert "1910."

Mr. THOMAS. Mr. President, I trust that this amendment will not prevail. As the bill stands the widow beneficiaries of this new appropriation are limited to those marrying old soldiers prior to 1905. The amendment proposes to extend that time to 1910, and the Senator from Kansas [Mr. CURTIS], after requesting the chairman of the committee to accept the House provision of 1915, proposes the amendment.

The question involved has been before the Senate, Mr. President, on more than one occasion, and thus far it has been deemed wise to limit widows' pensions to widows whose marriages antedated June of 1905. The purpose of that is obvious, and not

only obvious but it is wise and timely. It is designed to discourage the intermarriage of young women with very old men and then as survivors enjoy for many years the benefits of a pension granted by the Government to the widows of soldiers.

There are many features of the present law regarding widows' pensions that, in my judgment, are open to very serious criticism. This proposed law does not change them. It certainly should not be permitted to increase them. Under the law of 1916 provision was made for the revival of pensions to widows who, having married a second or third time, again became widows through no fault of their own; so that when the widow of a deceased soldier intermarries with an outsider and the marriage is afterwards terminated by death or divorce through no fault of hers, she can secure a revival of the pension, which attaches and remains to her until she dies or again marries. If she again marries and is again widowed through no fault of hers, the pension again automatically revives. That is carrying the pension system to the 'nth power of extreme. It virtually commits the Government of the United States to the payment of alimony or that which is analogous to alimony; and we may be sure that nice distinctions are not made under those circumstances when a newly made widow applies for the revival of her pension as to the extent to which the fault of her widowhood is her own.

Mr. President, I do not think that law should ever have been passed. I doubt if it would have been passed but for the fact that widows nowadays vote as do other women in many of the States of the Union, and therefore constitute a force to be reckoned with in the distribution of congressional favors. It is now proposed to extend the time so as to take in an additional class of widows marrying men who, according to the statement of the Senator having charge of the bill, and which I have no doubt is true, average 77 years of age. Such marriages must be dictated more by considerations of business than by sentiments of affection. I think it is fair to assume that the average woman marrying a man up to or beyond the age of 77 can scarcely be accused of that self-denial which is the offspring of an undivided affection. On the other hand, it is the most natural thing in the world that thrift should dictate a temporary inconvenience in order to secure the benefits bound to flow therefrom. I do not believe we should encourage that sort of thing. The mating of the young with the old is nearly always disastrous, but, notwithstanding that fact, such marriages frequently occur. Let us not put a governmental premium upon such unnatural alliances by offering rewards, virtually in the shape of alimony, to those who care to undergo the sacrifice.

Mr. President, I want to show my friend from North Dakota that I am not going to filibuster against this bill. I wish the rules of the Senate could be so changed as to make filibustering impossible. Sometimes I have taken advantage of conditions, but, so far as I remember, I have always acknowledged it. I shall say what I have to say upon this bill, I hope not at too great length, and then, as usual, take my seat, respond in the negative to the vote, and suspect that my opposition to the bill largely aided in securing its passage.

Mr. President, this bill proposes to add the sum of \$65,000,000 to an already overburdened taxpaying people as a permanent national expenditure. It comes at a time when the chairman of the committee assures us that further enormous appropriations have been and will be made, as a result of which our expenditures for the coming fiscal year will aggregate at least \$6,000,000,000; and, with the experience that comes from long service in the Senate, the Senator from North Dakota insists that these various proposed appropriations will in all probability pass through both Houses of Congress and become the law of the land. But it is because of these expenditures, if I understand the argument, that this comparatively small one is justified, the theory being, inasmuch as we are spending vast quantities of money, let everyone get some while the getting is good; also, that the contrast between \$65,000,000 and \$6,000,000,000 indicates the insignificant character of the amount carried by this bill, and the unwisdom, therefore, of opposing it.

Mr. President, it is an extremely small percentage of the aggregate appropriations with which the Senator says the country is threatened. When I was a young man, I was taught that real saving was comprised of the small items here and there reserved from the mass of expenditure and permitted to accumulate. I have read that the French were the richest nation in the world prior to the war, because the peasantry, no matter what their sacrifice might be, never failed to save something from the earnings of every week, nor to see that the savings were invested so that they would constantly increase. I believe that is true; and I think it would be well for Congress to heed the lesson, and, by saving at the spigot if they can not save at the

bunghole, contribute to some extent toward the diminution of public expenditures.

I suppose it will not be long before the so-called bonus bill in some shape will be laid upon the Secretary's desk. I suppose that after due debate it will be accepted. I differ with the Senator having this bill in charge, if the remarks which I am about to refer to apply to this enormous proposed appropriation, in that I think politics and politics alone makes such a bill possible, and politics and politics alone will cause its enactment into law. I shall not occupy the time of the Senate this afternoon in discussing that bill. Sufficient unto the day is the evil thereof. I merely wish to say now that when that bill does come here, and when it has passed, the advocates of it will know that they have had a fight. I am concerned, therefore, more particularly with this bill and with the reasons which actuate the committee in favorably reporting it and asking for its passage. Those reasons are found in the report of the committee, a copy of which I have here, and I want to give the committee credit for stating all of the reasons that in my judgment could be stated in support of the bill.

They realized the force of the assurance of the Grand Army of the Republic in 1918 that if Congress would allow that proposed increase they would be satisfied; they would no longer imitate the daughters of the horseleech but would be satisfied with the increases of that bill. It reminds me a good deal of the dye people, who came here in 1916 and were permitted by a Democratic Congress to write their own schedules of rates, declaring that it was amply sufficient for their purpose, and who now want an increase by 50 per cent, plus an embargo; and the reasons which they give for the change, with all due respect to my distinguished friend, are quite as pertinent as those which are outlined here.

The committee say:

There might be some force to this argument had not the Government itself, by its financial and administrative policies, so decreased the normal purchasing value of the currency of the country as to leave the recipients of this increased pension in a far worse condition than they were when the legislation was enacted.

In other words, their agreement was made upon the implied guaranty of the Government that the purchasing power of money at that time would not be disturbed. But the purchasing power of money, even had an actual promise been made that these payments should be in gold, has decreased since that time, there being no difference, as far as I know, in the character of the currency which is used as a medium of exchange.

The committee go on to say that the Government by its own conduct, through its own policies, has accomplished this decrease, and upon the assumption, I presume, that no man should be permitted to take advantage of his own wrong, the increase now asked should be conceded and the promise forgotten.

Mr. President, it is true that governmental policies have largely affected the value of money. It is equally true that the value of money was very much affected at the time that promise was made in 1918. Indeed, I think it may be safely said that at that good time the purchasing power of money was scarcely more than it is at present. No such condition was then placed to the promise. The committee in good faith acted upon it, Congress accepted the covenant, and within two years we are face to face with an enormously added increase as the basis of this bill, sought to be defended by the proposition that the Government itself has depreciated its currency.

If promises are so lightly set aside as that, it would be far better that they were not made at all.

The farmer has a good deal to do—not consciously or intentionally—with the high cost of living, in that production and consumption have been enormously disturbed by existing conditions. The wage earner has much to do with it through his constantly successful and successive demands for an increase of wages, which necessarily decreases the purchasing power of money and forces a continually rising increase in the cost of living.

These matters are so obvious that the statement of them is all that is essential. I have too much respect, both personally and officially, for the standing and the character of the members of the committee to say that this is a piece of special pleading; but I have seen cases of special pleading in the courts during my experience at the bar that addressed themselves, to my mind, with much more force than this contention.

The committee say:

Had the Government by a general law increased the pensions of these soldiers from a \$20 to a \$30 per month stipend, and in the same law provided that this \$30 should be paid in Mexican dollars, worth but 50 cents in American money, thus in effect reducing the pension to \$15, this manifest wrong and injustice would have called for immediate correction. And yet this is exactly what has resulted indirectly through governmental action and policies.

Mr. President, if the Congress has done what is here assumed deliberately, in my judgment it would have been a part of that understanding. I do not see how you could have separated it if it were contemporaneous, or virtually so. It has taken no direct step to interfere with the value of money to be paid in pensions, or the value of money to be used in any other way. If the committee saw fit to say that because of this increase the Grand Army of the Republic should not be held to its promise, that it was a hard bargain, and that a generous Government ought to overlook it, I would be much more inclined to accept it; but they do not place it upon any such consideration.

The committee also say:

It may be said that all the people suffer alike from this deplorable condition. This, however, is not the case. Labor has increased in price about 300 per cent since war was declared. Profits in every line of business are greater to-day than ever before in the history of the country. Those who have youth on their side as an asset and those engaged in business are able to immediately adapt themselves to the excessively high price of commodities by demanding and receiving a wage that will meet the higher cost of living and an increased profit in business to meet both the heavier governmental taxes and the higher cost of living.

But these classes can not do so.

Mr. President, that explanation or defense of the bill presupposes an obligation upon the part of the Government of the United States to guarantee a good living to every man in the country who ever wore its uniform, and that the obligation should be respected in times like these by an increase of the amount granted. I do not wonder that the recipients of pensions in America should long ago have come to that conclusion, because the scientific and just theory of pensions limits the beneficiaries to certain classes having special claims, and in most instances the amount of the pension is less than the cost of living, the exceptions, of course, occurring in cases of complete disability or old-age pensions, if I may so term them, paid to officers of the Army and Navy who are compelled to retire after a long life devoted entirely to the public need.

The man who suffers a transient disability may yet be amply able to earn a good living, and the amount of the pension should be graduated to the extent of the disability. A man in perfectly good health, or fairly good health—and he who lives to be 77 and more may be said to have enjoyed good physical vigor for a good many years—ought to be earning a living on his own account if he is not; he ought to be self-supporting at that age if he is not; and if he is an old soldier he ought to avail himself of the generosity of the Government in the establishment of soldiers' homes all over the country, whether he does or not.

We have gone upon another theory. We have accepted the demands of the beneficiaries and the would-be beneficiaries of the pension system, and while I accept as absolutely correct the assurance of the Senator having charge of the bill that political considerations are not behind it, I am unable to accept it as applicable generally, for I assert without fear of successful contradiction that but for the potential influence and voting power of the Grand Army of the Republic, we never would have entered upon this mad career of indiscriminate pensions, much less made it an accepted institution of congressional procedure.

A great many years ago Grover Cleveland, during his first administration, saw fit to veto, and very properly so, an enormous number of private pension bills, giving in each instance the most potent reasons for his action, unanswerable in their character and taken from the record. It is not too much to say that he was defeated for reelection in 1888 largely on account of those veto messages. It was made an issue in that campaign, and the old-soldier vote was rallied against him because he had the courage to protect the Treasury of the United States against demands that seemed to him to be unfair and unjust.

In 1894, in the middle of President Cleveland's second administration, I had occasion to do some campaigning, though very little, in the State of Ohio. It was what is called an off election, but I saw in the city of Columbus, and in one of the other cities of Ohio during that year, processions of men wearing the uniform and carrying transparencies reciting that the President of the United States was an enemy of the old soldier, the legend being: "Vote against the administration; it opposes pensions." And those were no idle processions. The spirit was duplicated in every State in the Union.

The election was overwhelmingly against the administration. I do not know to what extent that movement contributed to the result. At that time I thought the administration was in for a good licking, and away down in my heart of hearts I was secretly glad it got it. But this feature of the campaign against the administration at that time seemed to me peculiarly unjust, and as very significant of the power of an organization that was being used for the purpose of getting money from the Treasury of the United States.

During the pendency of this bill in committee, Mr. President, I have received large numbers of letters from some of the beneficiaries of the bill reproaching me very bitterly for even seeming to oppose it. Some of them have sent me clippings of editorials and statements from the National Tribune, that highly disinterested and patriotic publication having nothing but the good of the country at heart, and animated by a sincere and lofty desire to perpetuate the institutions of America. In many of these letters my motive has been said to be to get even with the old soldiers because I was born and brought up in the South. One of them went so far as to say that he could hardly expect anything else from an old Confederate soldier. That paid me too much honor. I was drafted when I was 15 years old in the Georgia militia, as it was called. I was about as tall as I am now, but not so thickset nor so handsome. I was given an old Austrian musket, which I carried from Milledgeville, Ga., to the sea. I threw it away and walked back without any. That is my record. If I had done that in the Northern Army, I would have been a pensioner long ago, and no doubt would have been a shining light in the Grand Army of the Republic.

There is not any need whatever, it does a man no good, to disclaim a personal motive in opposition to a bill of this kind. He does not have to do it to his friends, and it is a waste of breath to try to do it with the beneficiaries of the bill. So I will try to outlive it, as I have outlived many things else, and do what I think I ought to do with regard to this, as with other schemes of legislation.

There is no such obligation, and if there were, Mr. President, this bill would not discharge it. The Senator having charge of the bill will not contend for a moment that \$50 a month in these times will support a soldier, no matter how old he is, unless he is exceptionally fortunate. If the reasons given in this report, in other words, are good, the average pension should be from \$250 to \$300 per month—\$200 at least. Fifty dollars is very little better than thirty, when it comes to a question of support.

No, Mr. President; that can not be the reason. It is simply typical of the progressive tendency of all schemes of appropriations for private benefit. It feeds the spirit of acquisition, and prompts greater and yet greater demands, and these will continue just so long as the Congress of the United States responds to them, and the Congress will respond to them just so long as there are two parties in existence, which are represented in both Houses of Congress, and that will be the case, in all probability, as long as the Government survives; and nobody knows it better than the beneficiaries. They are shrewd enough to play party against party, and I have no doubt they take sheer delight in seeing each trying to outstrip the other in benefactions at the public expense.

We are giving \$50 now because we think that is enough for this present demand. It will be \$75 a month next year, based upon the same reason, because the price of living, in my judgment, is not going down, certainly not while farms are being abandoned and farm labor is an unknown quantity. The \$75 will specify the obligation, on the one hand, to take care of the men who have risked their lives for the country upon the other.

It will also be like this bill in that no discrimination is made whatever between the rich and the poor, the deserving and the undeserving, the just and the unjust, but all will be treated alike. The man who fought for four years during the war and the man who got his record for desertion corrected last week will be side by side. The discriminations that should be made in a bill of this kind are ignored completely.

There are one or two old veterans in my State whose excess-profits tax would make you or me independent for 20 years if we should live so long. They will get \$50 a month under this bill. There are many others who are doing well, having a competence and having won that competence by honorable toil and effort in the business life of the country. They will get \$50 a month. There are other old soldiers, Mr. President, who are destitute, or nearly so, just as other men who were never in the war are destitute, or nearly so, and the former will get \$50 a month, and that notwithstanding the fact that there were 5,000 empty beds in the soldiers' homes of America last week, which we have made appropriations to support and which homes were built and are supported for the purpose of taking care of these men.

One man writes me asking that this bill be passed so that he will be spared the disgrace and humiliation of entering one of these homes. Where there is humiliation or what possible disgrace can flow from such a status is beyond me. I conclude that this gentleman prefers his \$50 a month to ease and comfort for the rest of his life at the Nation's expense.

We are therefore supporting soldiers' homes costing millions of dollars per annum, costing nearly twice as much as before the war, on the one hand, while upon the other the accommodations which they extend are not accepted, and the War Department, as well as the Public Health Service, would be very glad to take over some of those places and thus, if possible, economize upon appropriations for new hospital buildings.

Mr. SMOOT. The Public Health Service wants \$87,000,000.

Mr. THOMAS. Yes; I know the Public Health Service wants \$87,000,000, and if the Senator can think of some institution that does not want some millions from the Government at present I would like to hear of it. It should be given honorable mention both on the floor and in the public press.

Their attention has been called to it, and perhaps the attention of the Senator from Utah [Mr. Smoot] also, because he keeps abreast more than any man in the Chamber with everything that is going on that is of importance to the people and which we are likely to consider. That \$87,000,000 can be saved, but it will not be saved, because the Public Health Service, like the pensioner, the good-roads man, the river and harbor man, and all the rest, are very anxious for economy at some one else's expense; hence, there is no economy, and there is not likely to be any.

Some of the old soldiers, I am glad to say, write in a different vein. I have selected one letter at random, written by an old gentleman in my State and addressed to me some days ago. He writes:

The National Tribune asks the old soldiers to write Senators right away. I will say, "Vote as you please." "We ain't hollering our heads off," says one; another says, "This old Government is awful good to us." So it goes with some.

He then is good enough to speak kindly of me and says:

Don't worry. You are O. K. on several things. Somebody has got to pay the bill. Now, I have written. Good-by. Yours, truly.

He adds:

Wounded in battle August, 1864. Hurt in runaway in 1908. Still a J. P. in Loveland and living comfortably. I know how to save.

That is a typical letter. Another sends me a communication which I will ask leave to place in the Record without reading, written by a veteran of the Civil War, 82 years old, from Troy, Ohio, on "Old age and activity."

The VICE PRESIDENT. Without objection, permission is granted.

The letter referred to is as follows:

OLD AGE AND ACTIVITY.

TROY, OHIO, March 27.

EDITOR OF THE JOURNAL:

DEAR SIR: I was much interested in your editorial of March 23 headed "Our young-old men and women," writing of four men who are still active, the youngest 86, the oldest 97, the combined age of the four being 367 years, and all still at work.

Nowadays, Mr. Editor, "mere years are no sign of either physical or mental diminution." There is living at the Dayton Military Home a veteran who will be 100 years old next June—Comrade W. E. Bayne, of Barracks No. 7. He is as active in body and mind as any man half his age; is commander of Veteran Post, No. 5, of the Grand Army of the Republic. Look at "Uncle Joe" CANNON, ex-Speaker of the House, over 85, hale and hearty; John Adams, when 80, found physical relaxation swimming in the Potomac. As some one has written, "The Almighty so arranged the vital forces in these bodies of ours that it is a matter of behavior, a matter of good living, a matter of vital force inherited from sound parents, and a proper husbanding of that vital force."

And lest we forget, Titian was 98 when he painted his famous "Battle of Lepanto," the most famous single picture in the world. "The Last Judgment" was painted by Michelangelo when 89; Von Moltke at 88 was chief of staff of the Prussian Army. At 88 John Wesley, with undiminished eloquence and power, was preaching daily. At 88 Bancroft was writing deathless history. Palmerston was prime minister of England at 81. At 83 Tennyson composed the tenderest song in our language, "Crossing the Bar." Gladstone conducted exciting campaigns at 80, and at 83 controlled the nation as its premier. Cato was 80 when he learned Greek. Socrates took up music at 80. It is related of Joseph Jefferson that he portrayed Rip Van Winkle with added effectiveness at 75. Whittier and Bryant issued new volumes at 79. Humboldt finished the best work of his life, his "Kosmos," at 90. Galileo was making new discoveries at 73. At 70 Commodore Vanderbilt owned but 120 miles of railroad, and at 88 he owned 10,000 miles of railroad and had added to his fortune \$100,000,000. Henry Watterson, who is one of the greatest among editorial writers of the Nation, at 83 is still in the harness, and his editorials are as full of vim and power as ever.

This winter I attended a post meeting at Pleasant Hill, Ohio—Dan W. Williams Post, No. 369, Grand Army of the Republic—a live-wire post. There were 17 Grand Army men present, some of whom came 4 or 5 miles. The average age of the 17 was 81 years and 9 months. This post meets once a month, and the average attendance is 11. "Tell me no more that the old are not capable of high and useful achievements."

JOHN W. RILEY,

A veteran of the Civil War and 82 years of age.

Mr. THOMAS. This is so cheerful and gives so many evidences of vigor and old age in combination that it gives me some hope for myself after I shall have ceased to worry this honorable body and shall have retired to the shades of private life.

I have other letters, that I will not take the time to read, running in the same direction, and insisting that the Govern-

ment, having done enough for them, ought not at this critical period in our financial history to be expected to give anything more.

I mention these not that they will do any good but because I think that the people should be informed, as far as I can inform them, that this demand at all times and on every propitious occasion for increasing pensions has here and there a very notable exception.

Now, Mr. President, up to and including 1917 this Government had appropriated and expended in pensions for soldiers of the Civil War \$5,087,647,618.63. Add to that the appropriations for 1918 and 1919, and the five and one-quarter billion dollar limit has been reached and passed. We have, in other words, paid in pensions to the soldiers and sailors of the Civil War an aggregate sum more than the equivalent of the actual valuation of all the property in the Confederate States of America at the end of the war. That includes its railroads, its personal property, and its real estate. The compensation has been more than the equivalent of the monetary value of the territory and property forced back into the Union.

It may be replied that it is worth it, and that is true; but it is not worth it when we consider the effect of this pension system upon the patriotism of the country, upon the public spirit of men, upon the idea of devotion to public service, and upon the duties which every citizen owes to his country. It is this record more than anything else, in my judgment, that has promoted the pending onslaught on the Treasury by the soldiers of the war just ended. It has created, and to a large degree justified, the notion that the Government should pay for every service rendered it, whether required or not. It has smeared American public spirit, and particularly its military spirit, all over with the dollar mark, and while the man, thank God, can still be found, and found in large numbers in America, who perceives and recognizes his duty to his country and his obligation to serve it to the extent of giving up his life in its hour of need, I greatly fear that a majority no longer see that viewpoint, but demand monetary compensation in exchange for patriotic valor and military service.

That is the lowering of our standards of civic virtue, which, if pandered to, as we doubtless will, must inevitably destroy it, and the war which was fought to make the world safe for democracy will be known to posterity as the war followed by burdensome taxes, by appropriations for pensions and bounties and bonuses, crushing the spirit of the people, destroying its sense of enterprise, and bringing it ultimately to the verge of ruin and destruction, if indeed it does not pass that point.

But I promised not to discuss present conditions any more than is necessary, as ample opportunity in all probability will be given to do so.

The committee says:

It is no answer to say that this law adds \$65,000,000 to the burdens of an already overtaxed country.

I thought it was. Doubtless I am mistaken. The reasons given, if I understand them, are that—

We are overtaxed to-day because of the continuance of extravagant expenditures initiated during the war and which so far we have scarcely made serious efforts to curtail.

That is true.

Prior to the war the Government was conducted with an annual expense of less than \$1,000,000,000. To-day, nearly two years after the close of the war, we are calling and providing for more than \$5,000,000,000 yearly to meet the running expenses of the Government in time of peace. Allowing \$1,000,000,000 for interest on our war debt, and making liberal allowance for the greatly increased cost of operation in every branch of the service, an increase of about 400 per cent in the ordinary running expenses of the Government, exclusive of interest, can not but indicate that there are many projects calling for large appropriations which are not absolutely necessary and which might well await a return to normal and more favorable conditions.

I agree to that. They are just as necessary as, but no more necessary than, the bill we are considering, and yet the Senator knows just as well as I do that while they are not necessary they are going to be so considered.

I confess, Mr. President, that I have little patience with that partisan spirit of crimination and recrimination which charges each of the sides of this Chamber, and the parties to which they belong, with this extravagance and this untoward situation. We are both equally to blame. We take the burden of it now because ours is the administration. The other side of the aisle takes the burden of it after the 4th of March, 1921, if their rosy expectations are not dimmed by the current of future events. They will run the Government no more inexpensively than we do, simply because the influences which call for extravagance will shift as the balance of political power shifts.

We have never failed in our political conventions to condemn each other for riotous extravagance and an increase of the

burdens of the people, and as far as I know we have seldom made any effort, when fortune has rested upon the one or the other banner, to do more than give the other side the opportunity to make the same charge when the convention meets four years hence. So it goes, battledore and shuttlecock, Democratic extravagance and corruption, Republican extravagance and corruption.

We do it because we do not like to resist pressure, and particularly when there is a political or partisan side to it. John Smith, of Podunk, in my State, wants a public building at his crossroads, where there is a population of 350. Jintown, in an adjoining county, and having the same population, has secured \$50,000 for a public building under the Republican administration. If I do not bring home the goods, I am a much poorer statesman than my predecessor, and in all probability I will have upon my head the displeasure of the 350 inhabitants of Podunk. Hence I go before the committee, which is controlled by the members of my party, and I plead for a public building at Podunk. I tell my party associates why I must have it. "I am very fond of the Senate, and I do not like to be retired; \$50,000 is not much in an overflowing Treasury; just let me have it, treat me as a good fellow, and I will show the people in Jintown, in the other county, that I can do a thing or two myself when it comes to getting money from Uncle Sam."

So, Mr. President, we battledore and shuttlecock and spend hours here telling the people what extravagant and reckless wretches we are. We tell the truth about each other in that particular. The people, no doubt, believe both of us; but, unfortunately, they are very easy with our infirmities. The taxpayers do not organize; they simply sit around and swear, and inasmuch as they only do that we are not afraid of them. They have no political influence worth mentioning; they are not organized for plunder. So the good work goes on, and will continue to go on unless conditions change.

Pensions, of course, are one of the easiest appropriations to defend imaginable. I have heard many times the argument in behalf of the defenders of the country. How many times, Mr. President, you have probably heard drawn the picture of the soldier charging through the hail of bullets, with the battle flags tattered and torn, dead men everywhere, the enemy stubborn but finally routed by the heroic charge of heroic men. That appeals to people, and there is a great deal in it. There is everything in it, Mr. President, as to those who are physically disabled and who have a right to demand pensions; but the bounty of the Government is not limited to them under any circumstances. That is what is going to put the bonus through, mark my words. When that bill is discussed here all the battles from Belleau Woods to Sedan will be fought over again, and while they cost this Government directly about \$25,000,000,000 the next generation will see added to it twenty-five billions, because the bonus now proposed is only a starter; it is an appetizer; the feast is coming later on; and the gorge will synchronize with every presidential election, with an occasional tidbit on the side, just before the intervening election. Why not? Charge it to the profiteer. We take out everything now on the profiteer.

I see Mr. Bryan in his last issue of the Commoner insists upon trade commissions in the States to cooperate with the Federal Trade Commission to swat the profiteer. He is also in favor of the bonus for service men, to be paid out of a tax on the war profiteers. Those who have been made rich by the war, he says, should be made to furnish the money to pay for the sacrifices made by those who served in the war. I am not surprised they got Mr. Bryan, particularly as the primaries were held yesterday. According to the last accounts, however, the appeal was not successful; but even Mr. Bryan, Mr. President, great commoner as he is and so successful in appealing to the emotions of men, ought not to overlook the fact that the profiteer will pass the taxes right on to the fathers of the boys who will receive the money. That, however, is an indirect and sort of secret process; it is bleeding a man to death with leeches instead of cutting the veins of his arm and letting him see the blood as it flows in torrents from the wound. The tax comes back to the producer every time. You can not avoid it any more than you can avoid the downward current of a stream in obedience to the law of gravitation. This \$65,000,000, while it may come immediately from the man who has made excess profits, will inevitably place its burdens upon the producers of the country.

The Senator from North Dakota says we could easily set off this amount by omitting the appropriation of \$75,000,000 for good roads; but the Senator knows that is impossible. Why, Mr. President, we could no more stay the appropriation of \$75,000,000 for good roads than we could make a voyage to the moon. Every county in every State would be, both physically

and metaphorically, upon our back. Good roads! That policy has been inaugurated, and you may remember that it was inaugurated immediately after the war in a Post Office appropriation bill presented, with great success, by our venerable and lamented friend, the late Senator Bankhead, of Alabama, who said, when asked by the Senator from Utah where the money was coming from, that that was no concern of his; that was the business of the Finance Committee. That is the answer that will be made, together with others, to any attempt to omit for one year the appropriation of \$75,000,000 for good roads. Oh, no; it will not be done.

Why, there is a bill calling for an appropriation of \$450,000,000 pending in the other House or in this body, I forget which; perhaps it is pending in both, for such bills are generally duplicated in the hope, perhaps, that they will get twice as much as one bill calls for. The bill has not been reported out of the committee as yet, and from what the chairman of the Committee on Post Offices and Post Roads said the other day, I do not suppose it will be reported at once, and I was very glad to hear it; but suppose the unexpected should happen and that this \$75,000,000 should be eliminated from that particular appropriation bill, does that justify our turning around and appropriating it at once in another direction? If we can save it, let us do so; but I fail to perceive any economy in not cutting off a chew of tobacco from one end of the plug and then cutting a chew of similar size from the other end.

We can legislate until doomsday by that process and get nowhere. At the end the Treasury will be just as barren and just as empty as though no elimination were attempted. I should like to see both of these bills postponed. That would save about \$150,000,000, in round numbers. But they will not be.

Next fall, when I take the stump in my State, I will tell my constituents that the Republican Party is in charge of the present Congress and that my party did its best to live up to its last pledge for economy, but it was powerless because it did not control the Senate or the House of Representatives, and it is upon their heads that the wrath of the people should be visited, because, forsooth, they saw our extravagance and went us one better. My friend, the Senator from North Dakota, if he takes part in the campaign, will call attention to the fact that the administration is still Democratic; that we had six years to set a good example, but did not do it, and inasmuch as they were exposed to our pernicious example for six years they became inoculated with the germ of the same habit, which they will get over slowly by degrees, but will need another lease of power in order to enable them to do so. There is nothing new about that; we have been doing that sort of thing for years, but the work of spending the people's money goes merrily on and the taxpayer pays the fiddler.

Five, six billion dollars for the next year! I wonder, Mr. President, if it is possible for the finite mind to grasp the magnitude of that sum. If the Wandering Jew had received \$500,000 on the day of the crucifixion of the Savior and an equal amount every year thereafter, he would have to live 80 years longer before he would have a billion dollars, and he would have to live 10,000 years after that in order to get \$6,000,000,000. But what does that amount to in the eyes of the Senate and the House in these times? We toss it off with the easy nonchalance of a Neapolitan beggar swallowing a yard of macaroni; it does not even gorge us; we mention it as a stupendous thing rather boastfully.

I do not know whether the people who pay the taxes intend to continue supine or not. My only comment is that if they do they deserve all they get. If they would only unite in a patriotic or some other sort of an association, send their representatives down here to shake their fists under our noses and say, "Either quit spending or you will lose your jobs," we would "sit up and take notice." Until they do that—

On with the dance! Let joy be unconfined;
No sleep till morn, when House and Senate meet.

Mr. President, I have said all that I care to say upon this bill. I have no doubt I have contributed, as the vote will show, very largely toward its summary passage; but I have delivered myself of views which I entertain upon it. I protest against its passage at this time, and shall, of course, vote against it.

I intend before the final vote is taken, however, to ask either for the elimination of the words "during the Civil War," on line 25 of page 2, or for the addition of the words "Mexican, Spanish, and," so that then disability pensions may be made available to those who became disabled in those other struggles. If disability is to be compensated—and it should be—then that disability is the same, and the need for recognizing it now is the same, whether it was incurred in the Civil War or in any other war.

Of course, I can not offer that amendment now, because another amendment is pending and undisposed of.

Mr. DIAL. Mr. President, coming from the South, perhaps it would be in better taste for me to have nothing to say on this bill, and if the amount were the same as provided in the law at the present time I would remain silent; but I feel that this increase in so short a time after another increase two years ago is unjustifiable and is an inexcusable raid upon the Public Treasury.

I can do no more than enter my protest against the bill. As I said, if it were the amount that was allowed in the former bill or in the law as it exists I would say nothing; but I do protest against the increase now. It is out of place, uncalled for, and unnecessary.

The VICE PRESIDENT. The question is on the amendment of the Senator from Kansas [Mr. CURTIS] to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Pensions was, on page 4, line 3, after the words "apply to," to strike out "all former widows of persons" and insert "a former widow of any person"; in line 6, before the word "honorably," to strike out "were" and insert "was"; in line 8, after the word "for," to insert "or died in service of"; in line 20, after the word "widow," to strike out "having" and insert "leaving"; in line 25, before the word "helpless," to strike out "permanently" and insert "mentally or physically"; and on page 5, line 14, after the word "cease," to insert "And provided further, That the rate of pension for the widow of any person who served in the Army, Navy, or Marine Corps of the United States in the War of 1812, or for 60 days or more in the War with Mexico, on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, shall be \$30 per month," so as to read:

And this section shall apply to a former widow of any person who served for 90 days or more in the Army, Navy, or Marine Corps of the United States during the Civil War and was honorably discharged from such service, or who, having so served for less than 90 days was discharged for or died in service of a disability incurred in the service and in the line of duty, such widow having remarried, either once or more than once after the death of the soldier, sailor, or marine, if it be shown that such subsequent or successive marriage has, or have been dissolved, either by the death of the husband or husbands, or by divorce without fault on the part of the wife; and any such former widow shall be entitled to and be paid a pension at the rate of \$30 per month; and any widow, as mentioned in this section, shall also be paid \$6 per month for each child of such officer or enlisted man under the age of 16 years, and in case of the death or remarriage of the widow leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16 years: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless, the pension shall continue during the life of such child, or during the period of such disability, and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute: *And provided further*, That in case of any widow whose name has been dropped from the pension roll because of her remarriage, if the pension has been granted to an insane, idiotic, or otherwise helpless child, or to a child or children under the age of 16 years, she shall not be entitled to renewal of pension under this act until that pension to such child or children terminates, unless such child or children be a member or members of her family and cared for by her, and upon the renewal of pension to such widow, payment of pension to such child or children shall cease: *And provided further*, That the rate of pension for the widow of any person who served in the Army, Navy, or Marine Corps of the United States in the War of 1812, or for 60 days or more in the War with Mexico, on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, shall be \$30 per month.

The amendment was agreed to.

Mr. McCUMBER. Mr. President, there is just one more committee amendment that I will ask to have made, a mere correction of a word. On page 4, line 8, before the word "discharged," I move to strike out the word "were" and insert in lieu thereof the word "was."

The amendment was agreed to.

Mr. THOMAS. Mr. President, I think that is the last committee amendment. I move to amend, on line 25, page 2, by inserting between the words "the" and "Civil" the words "War with Mexico, Spanish-American War, or the."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 25, before the words "Civil War," it is proposed to insert "War with Mexico, Spanish-American War, or the," so that if amended it will read:

That from and after the approval of this act all persons whose names are on the pension roll, and who, while in the service of the United States in the Army, Navy, or Marine Corps during the War with Mexico, Spanish-American War, or the Civil War—

And so forth.

Mr. THOMAS. Mr. President, it will be observed that this section refers exclusively to disabilities, and I think its pro-

visions should be made available to those who have been disabled in these other wars.

Mr. McCUMBER. Mr. President, the principal objection and the only reason why we did not consider them was that we have another bill before Congress which has passed the House and has been reported favorably to the Senate which deals with the Spanish War veterans alone, and, if I remember rightly, that is covered by the proposed law. The provisions are somewhat dissimilar.

Mr. THOMAS. Perhaps I can offset that by this amendment, and thus limit the appropriations that would otherwise be necessary.

Mr. SMOOT. I will assure the Senator that that will not be the case.

Mr. THOMAS. I have not the remotest idea that it will. I simply indulge the vain hope.

Mr. SMOOT. If the Senator will turn to the bill upon the calendar, he will find that it deals with the soldiers of the Spanish War.

Mr. THOMAS. Yes; I am aware of that fact.

Mr. SMOOT. While the rates under that bill are not as high as those in this bill, I wish to say to the Senator that they are satisfactory to the veterans of the Spanish War, and these rates for the disabled soldiers of the Civil War are the highest rates of the kind in any proposed legislation or pending bill; and I think the effect of the amendment of the Senator would be to increase the amount of the appropriation rather than to decrease it.

Mr. THOMAS. Oh, I think it would decrease it, but it would decrease it in the proper direction. I shall not argue the matter. I simply ask for a vote on the amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado. [Putting the question.] The "noes" seem to have it.

Mr. KING. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Curtis	McNary	Sheppard	Trammell
Dial	Nelson	Smith, Md.	Wadsworth
Glass	New	Smoot	Warren
Jones, Wash.	Nugent	Spencer	Watson
King	Overman	Swanson	
Lenroot	Page	Thomas	
McCumber	Pomerene	Townsend	

Mr. KING. I wish to announce that the Senator from Massachusetts [Mr. WALSH], the Senator from Georgia [Mr. HARRIS], the Senator from Tennessee [Mr. McKELLAR], the Senator from Rhode Island [Mr. GERRY], the Senator from Mississippi [Mr. HARRISON], and the Senator from Alabama [Mr. UNDERWOOD] are absent on official business.

The VICE PRESIDENT. Twenty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of the absentees.

The Reading Clerk called the names of the absent Senators, and Mr. CAPPER and Mr. SUTHERLAND answered to their names when called.

Mr. CALDER, Mr. LODGE, Mr. KNOX, Mr. GRONNA, Mr. KENDRICK, Mr. DILLINGHAM, Mr. KEYES, Mr. BALL, Mr. McCORMICK, Mr. CHAMBERLAIN, and Mr. KIRBY entered the Chamber and answered to their names.

The VICE PRESIDENT. Thirty-eight Senators have answered to the roll call. There is not a quorum present.

Mr. KING. I move that the Senate adjourn.

The Senate refused to adjourn.

Mr. McCUMBER. Mr. President, I understand that there is a quorum present in the city and in the offices around the Capitol and in the cloakrooms, and so forth. I therefore move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. SMITH of South Carolina, Mr. FRANCE, Mr. PHIPPS, Mr. STERLING, and Mr. MOSES entered the Chamber and answered to their names.

Mr. McCUMBER. May I inquire of the Chair the number yet required to make a quorum?

The VICE PRESIDENT. There are six needed.

Mr. McCUMBER. I am somewhat in doubt as to whether we could get that number without waiting considerably after the regular adjournment hour, and I therefore move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, April 22, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 21, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

"We lift up our hearts in gratitude to Thee, our Father in heaven, for the many disclosures Thou hast made of Thyself on land and sky and sea, the change of seasons, seed time and harvest, especially for the light Thou hast implanted in the soul of man which brings him in contact with Thee. To follow it is peace, joy, and contentment. To turn aside from it is discontent, sorrow, and disorder.

Inspire us by that light to walk humbly with Thee and do unto others as we would be done by. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday. The Clerk will call the roll of committees.

Mr. PLATT rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. PLATT. I ask unanimous consent to take up the bill (H. R. 13138) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916, on which the previous question had been moved on the last Calendar Wednesday, with the decision pending on the parliamentary question as to whether the previous question could be moved on a Calendar Wednesday bill.

The SPEAKER. The gentleman from New York asks unanimous consent that, despite the rule forbidding a committee to have more than two days, he may be permitted to call up the bill which was pending on the last Calendar Wednesday.

Mr. MORGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORGAN. If the Chair rules or the House gives unanimous consent to take up this bill, does that give the Committee on Banking and Currency the right to call up any other bills to-day?

The SPEAKER. No. If the House gave permission to call up this bill, the committee's jurisdiction would end with that.

Mr. WALSH. Reserving the right to object, Mr. Speaker, if consent is not given, and the Speaker rules that the motion for the previous question is in order, and the previous question should be voted down, of course gentlemen opposed to the bill claiming recognition would be entitled to an hour's time under the rule. I doubt if we should take that chance on Calendar Wednesday, the committee already having occupied two full days with a question of that sort pending, and I object.

The SPEAKER. Objection is made. The Clerk will call the roll of committees.

PERMITTING PRIVATE BANKERS TO BE DIRECTORS IN TWO BANKING ASSOCIATIONS.

Mr. PLATT. Mr. Speaker, I move to take up the bill H. R. 13138.

The SPEAKER. The Chair thinks the gentleman is entitled to make that motion, but it will require a two-thirds vote.

Mr. WINGO. Mr. Speaker, if the Chair will indulge me a moment—

The SPEAKER. Certainly.

Mr. WINGO. The Chair's ruling involves this, that he will recognize on Calendar Wednesday a gentleman to move to suspend the rules.

The SPEAKER. The rule is—

Provided further, That whenever any committee shall have occupied two Wednesdays it shall not be in order, unless the House by a two-thirds vote shall otherwise determine, to consider any unfinished business previously called up by such committee, unless the previous question had been ordered thereon, upon any succeeding Wednesday until the other committees have been called in their turn under this rule.

Mr. WINGO. I see. I had lost sight of that. I was thinking of the general rule. I stand corrected.

The SPEAKER. It was intended that such a committee should have an opportunity.

Mr. WINGO. I see.

Mr. CLARK of Missouri. As to simply voting on this bill, I believe that the Chair has ruled that the motion is in order; but simply voting on that is not a fair test as to whether the House wants to dispense with Calendar Wednesday. The way that thing runs is, these men out here in the lobby, the Members, commence streaming in here, and some gentlemen out in the

lobby suggest how to vote or what our vote is or what the Republican vote is, or something of the sort; and it is not a fair chance to do away with Calendar Wednesday.

Mr. PLATT. Mr. Speaker, if the Chair will permit, this bill was left over from the last Calendar Wednesday, and there is no opposition to it. Whichever way the Speaker rules, it will be passed in a few minutes.

Mr. GARD. Mr. Speaker, may I ask that the bill be reported?

The SPEAKER. The Chair will state for the information of the House that the Chair does not consider that this motion would dispense with Calendar Wednesday. This would simply allow the Committee on Banking and Currency to conclude one bill, concerning which the motion is made.

Mr. CLARK of Missouri. My recollection about that is that the gentleman from Illinois [Mr. CANNON] and myself and the present Speaker are the only ones that ever had anything to do with this Calendar Wednesday rule, and my recollection is, although I would not be positive about it, that Speaker CANNON and myself both ruled that in a situation like this you could go on and vote on a bill on a third Calendar Wednesday.

The SPEAKER. That is when the previous question has been ordered.

Mr. CLARK of Missouri. Yes; that is when the previous question has been ordered.

The SPEAKER. The previous question has not been ordered on this bill. The motion for the previous question is pending.

Mr. WALSH. Mr. Speaker, is not the situation substantially this, that the gentleman from New York [Mr. PLATT], on the second Wednesday which his committee occupied, called up a bill and after some discussion moved the previous question, and that the point of order was made against that motion, and before it was decided the House adjourned? Now, the gentleman from New York simply wishes to take up that bill where it was left, to ask for a decision on that motion, and conclude the consideration of that measure, when the call of the committees will proceed.

The SPEAKER. The Chair thinks that is a correct statement of the situation. The question is on the motion of the gentleman from New York [Mr. PLATT] to consider the unfinished business which was pending on the last Calendar Wednesday.

Mr. GARD. Mr. Speaker, I ask that the bill be reported.

The SPEAKER. The gentleman from Ohio asks that the bill be reported. The Chair thinks that is a reasonable request. Without objection, the bill will be reported.

The Clerk read as follows:

A bill (H. R. 13138) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916.

Be it enacted, etc., That section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended by the act of May 15, 1916, be further amended by inserting in the proviso at the end of the second clause of said section, after the word "prohibit," the words "any private banker or," so that the proviso as amended shall read:

"And provided further, That nothing in this act shall prohibit any private banker or any officer, director, or employee of any member bank or class A director of a Federal reserve bank, who shall first procure the consent of the Federal Reserve Board, which board is hereby authorized, at its discretion, to grant, withhold, or revoke such consent, from being an officer, director, or employee of not more than two other banks, banking associations, or trust companies, whether organized under the laws of the United States or any State, if such other bank, banking association, or trust company is not in substantial competition with such banker or member bank."

"The consent of the Federal Reserve Board may be procured before the person applying therefor has been elected as a class A director of a Federal reserve bank or as a director of any member bank."

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York to consider this bill.

The question was taken; and the Speaker announced that two-thirds having, in his opinion, voted in the affirmative, the motion was agreed to.

The SPEAKER. The bill that has just been reported is before the House for consideration.

Mr. WINGO. Mr. Speaker, may I refresh the memory of the Chair? A motion for the previous question had been made and a point of order was pending. The determination of that point of order would be the first thing, would it not?

The SPEAKER. The Chair thinks that is the first business. The determination of this point of order is not without difficulty. It is a puzzling question. What the Chair should determine is, of course, the intent of this new rule. It has never been interpreted. Under Speaker CLARK the question was once raised, but the Speaker reserved time for deliberation, and then the question did not come up again, just as it would not have come up to-day except for the two-thirds vote of the House, and so it is a novel question.

The purpose of the Chair will be to decide the question, both in accord with what he thinks was the purpose of those who framed the rule, and also in accord with what he thinks would be for the advantage of the House in carrying out that purpose.

The original intention of the Calendar Wednesday rule was to force the consideration upon one day of the week of a certain class of business. Experience showed, however, that the rule was not accomplishing what was hoped and planned, and accordingly the rule was changed and the clause inserted which gives rise to the question before us to-day.

The rule reads—

Not more than two hours of general debate shall be permitted on any measure called up on Calendar Wednesday, and all debate must be confined to the subject matter of the bill, the time to be equally divided between those for and against the bill.

The Chair is disposed to follow, in general, the line of reasoning made two weeks ago by the gentleman from Georgia [Mr. CRISP]. The phrase—

Not more than two hours of general debate shall be permitted—has some uncertainty, for although the phrase "general debate" is usually used as applying to debate in Committee of the Whole, where it is not confined to the subject of the bill, yet it is also used as to debate on a bill in the House, the initial debate covering the whole subject of the bill, and the Chair does not think that phrase alone determines the question, although it might be ruled that "general debate" applied simply to debate in Committee of the Whole. The Chair thinks it tends in that direction.

Then the phrase—

All debate must be confined to the subject matter of the bill—

applies simply to debate in Committee of the Whole, because in the House without any such provision the debate must be confined to the subject matter of the bill. But although that phrase applies simply to the Committee of the Whole it does not necessarily follow that the whole sentence has the same application. Then comes the phrase—

the time to be equally divided between those for and against the bill.

That might apply as well to bills on the House Calendar as to bills on the Union Calendar. But the main purpose of this clause was to expedite the business of the House. The Calendar Wednesday rule had fallen short of accomplishing the end for which it was originally aimed, that of giving to relatively unimportant bills one day in the week when they would be considered and removed from the calendar. By tactics which might be called filibustering the purpose of that rule had been evaded, and this provision was inserted to prevent those delaying tactics. So the Chair thinks the main purpose of adopting this rule was speed and expedition in the transaction of the business of the House on Calendar Wednesday.

That being so, it seems to the Chair that that purpose will be best furthered by holding that this clause applies to bills on the Union Calendar only and that when bills on the House Calendar are brought up on Calendar Wednesday the previous question can be ordered at any time. The only way in which that would at all controvert this rule would be that it might interfere with the phrase—

the time to be equally divided between those for and against the bill—

because the man who had the bill in charge might use five minutes and then move the previous question. He might not give to those opposed to the bill any opportunity for debate. But the Chair does not think that argument has much practical force, for it is the custom for the man in charge of a bill to recognize the equal claim to debate of those opposed, and it is very rare that in debate the time is not fairly divided. On this very bill, for instance, the gentleman having it in charge, after having used 10 minutes himself, yielded 10 minutes to a gentleman opposed to the bill. The Chair might suggest that this very bill somewhat illustrates the fact that this ruling would not interfere with fair play, but would further the main purpose of the rule and prevent filibustering and hasten action, because the Chair has more than a suspicion that the time desired in opposition was not really because of antagonism to the bill, but was aimed at prolonging the consideration of this bill, so as to occupy the Calendar Wednesday and prevent the consideration of other bills which might follow it. So this very case is an illustration of the way in which the purpose of Calendar Wednesday is sometimes being obstructed and the rule availed of for filibustering purposes.

Therefore the Chair thinks that it would best be carrying out the intention of those who framed this provision and expediting the business of the House to rule that the previous question can be ordered. That leaves it all in the control of the House, because if the House desires debate the previous question can be voted down. Therefore the Chair rules that the previous ques-

tion, which was moved by the gentleman from New York [Mr. PLATT], is in order.

Mr. WINGO. Mr. Speaker, there was some confusion on the floor and I did not hear all that the Chair said as to an equal division of the time. Does the Chair hold that under his decision, if the chairman of a committee wished to cut off debate, he could arbitrarily get up and debate the bill for one minute, and then move the previous question, and if a majority of the House saw fit to deprive the opposition, which might consist of one man, of the provision of the rule which gives him an equal amount of time, the House could do that?

The SPEAKER. The Chair holds that the gentleman can move the previous question after one minute's debate if he so desires; that he has the same power in this case as to moving the previous question that he would have at any time in the House.

Mr. WINGO. Mr. Speaker, I appreciate the difficulty of the question, and, with all deference to the Chair, I believe I will appeal from the decision of the Chair.

The SPEAKER. The gentleman from Arkansas appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the House?

The question being taken, on a division (demanded by Mr. WINGO) there were—ayes 59, noes 8.

Mr. WINGO. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. As many as are in favor of the decision of the Chair standing as the judgment of the House will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 274, nays 15, answered "present" 5, not voting 133, as follows:

YEAS—274.

Anderson	Foster	Linthicum	Rubey
Andrews, Nebr.	Frear	Little	Sanders, Ind.
Ashbrook	Freeman	Loebergan	Sanders, La.
Aswell	French	Lucre	Sanders, N. Y.
Ayres	Fuller, Ill.	McAndrews	Sanford
Babka	Gallivan	McClinton	Scott
Bacharach	Gandy	McClulloch	Sells
Barbour	Ganly	McDuffie	Sherwood
Barkley	Gard	McGlennon	Siegel
Bee	Garland	McKenzie	Sims
Begg	Garner	McLaughlin, Nebr.	Sinclair
Benham	Garrett	MacCrate	Sinnot
Bland, Mo.	Glynn	MacGregor	Sisson
Bland, Va.	Good	Mahee	Slemp
Boies	Goodall	Major	Smith, Idaho
Bowers	Goodykoontz	Mann, S. C.	Smith, Ill.
Box	Graham, Ill.	Mansfield	Snell
Briggs	Griest	Mapes	Steenerson
Brooks, Ill.	Griffin	Mason	Stephens, Miss.
Brooks, Pa.	Hadley	Mays	Stephens, Ohio
Burdick	Hardy, Colo.	Mead	Stevenson
Burroughs	Hardy, Tex.	Merritt	Stines
Byrnes, S. C.	Harrell	Michener	Strong, Kans.
Byrnes, Tenn.	Hastings	Miller	Summers, Wash.
Caldwell	Hawley	Milligan	Summers, Tex.
Campbell, Kans.	Hayden	Minahan, N. J.	Sweet
Candler	Hays	Monahan, Wis.	Swope
Carss	Hernandez	Mondell	Taylor, Colo.
Carter	Hersey	Montague	Taylor, Tenn.
Casey	Hickey	Moore	Thomas
Chindblom	Hoch	Moore, Ohio	Thompson
Christopherson	Hoe	Moore, Va.	Tilson
Clark, Fla.	Holland	Morgan	Timberlake
Clark, Mo.	Houghton	Mott	Tincher
Classon	Howard	Mudd	Tinkham
Coady	Hull, Tenn.	Murphy	Treadway
Cole	Humphreys	Nelson, Mo.	Upshaw
Connally	Husted	Nelson, Wis.	Vaile
Cooper	Hutchinson	O'Connor	Vare
Copley	Ireland	Ogden	Venable
Crisp	Jeffers	Oldfield	Vestal
Crowther	Johnson, Ky.	Oliver	Vinson
Dale	Johnson, Miss.	Olney	Voigt
Dallinger	Johnson, S. Dak.	Osborne	Volstead
Davis, Minn.	Johnson, Wash.	Overstreet	Walters
Davis, Tenn.	Johnston, N. Y.	Padgett	Wason
Dempsey	Jones, Pa.	Park	Watkins
Dickinson, Mo.	Jones, Tex.	Parrish	Watson
Dickinson, Iowa	Juul	Peters	Weaver
Donovan	Kahn	Platt	Webster
Dowell	Kearns	Pou	Welling
Dunbar	Keller	Purnell	Whaley
Dunn	Kelly, Pa.	Quin	Wheeler
Dupré	Kettner	Radcliffe	White, Kans.
Dyer	Kincheloe	Rainey, Ala.	White, Me.
Eagan	King	Rainey, H. T.	Wilson, Ill.
Echols	Kinkaid	Rainey, J. W.	Wilson, La.
Elliott	Kiecza	Randall, Calif.	Winslow
Elston	Knutson	Randall, Wis.	Wood, Ind.
Emerson	Kraus	Reber	Woods, Va.
Esch	Lampert	Reed, W. Va.	Woodyard
Evans, Mont.	Langley	Rhodes	Wright
Evans, Nev.	Lanham	Ricketts	Yates
Fairfield	Larsen	Riddick	Young, N. Dak.
Ferris	Layton	Robinson, N. C.	Young, Tex.
Fields	Lazaro	Robison, Ky.	Zihlman
Flood	Lee, Calif.	Romjue	
Focht	Lee, Ga.	Rowe	
Fordney			

NAYS—15.

Blanton	Jacoway	McKiniry	Tillman
Cannon	James	Raker	Wingo
Cleary	Leshner	Rouse	Wise
Fisher	McKeown	Taylor, Ark.	

ANSWERED "PRESENT"—5.

Evans, Nebr.	Longworth	Rodenberg	Walsh
Huddleston			

NOT VOTING—133.

Ackerman	Dent	Kennedy, Iowa	Ramseyer
Almon	Dewalt	Kennedy, R. I.	Rayburn
Andrews, Md.	Dominick	Kless	Reavis
Anthony	Dooling	Kitchin	Reed, N. Y.
Baer	Doremus	Kreider	Riordan
Bankhead	Doughton	Lankford	Rogers
Bell	Drane	Lehlbach	Rose
Benson	Eagle	Lufkin	Rowan
Black	Edmonds	Lubring	Rucker
Blackmon	Ellsworth	McArthur	Sabath
Bland, Ind.	Fess	McFadden	Schall
Booher	Fuller, Mass.	McKinley	Scully
Brand	Gallagher	McLane	Sears
Brinson	Godwin, N. C.	McLaughlin, Mich.	Shreve
Britten	Goldfogle	McPherson	Small
Browne	Goodwin, Ark.	Madden	Smith, Mich.
Brumbaugh	Gould	Mann, Ill.	Smith, N. Y.
Buchanan	Graham, Pa.	Martin	Smithwick
Burke	Greene, Mass.	Mooney	Snyder
Butler	Greene, Vt.	Moore, Ind.	Steagall
Campbell, Pa.	Hamill	Morin	Stedman
Cantrill	Hamilton	Neely	Stoll
Caraway	Harrison	Newton, Minn.	Strong, Pa.
Carew	Haugen	Newton, Mo.	Sullivan
Collier	Hefflin	Nicholls, S. C.	Tague
Costello	Hersman	Nicholls, Mich.	Temple
Crago	Hicks	Nolan	Towner
Cramton	Hill	O'Connell	Ward
Cullen	Hudspeth	Paige	Wetty
Currie, Mich.	Hulings	Parker	Williams
Curry, Calif.	Hull, Iowa	Pell	Wilson, Pa.
Darrow	Igoe	Phelan	
Davey	Kelley, Mich.	Porter	
Denison	Kendall	Ramsey	

So the decision of the Chair was sustained as the judgment of the House.

The following pairs were announced:

Until further notice:

Mr. LONGWORTH with Mr. KITCHIN.
 Mr. MANN of Illinois with Mr. DEWALT.
 Mr. RODENBERG with Mr. BELL.
 Mr. MCPHERSON with Mr. IGOE.
 Mr. NEWTON of Missouri with Mr. SMALL.
 Mr. CURRY of California with Mr. DRANE.
 Mr. WARD with Mr. GALLAGHER.
 Mr. SHREVE with Mr. CARAWAY.
 Mr. DENISON with Mr. BANKHEAD.
 Mr. WILLIAMS with Mr. STEAGALL.
 Mr. ANTHONY with Mr. DENT.
 Mr. DALLINGER with Mr. CAMPBELL of Pennsylvania.
 Mr. BUTLER with Mr. McLANE.
 Mr. FESS with Mr. HEFFLIN.
 Mr. NEWTON of Minnesota with Mr. SABATH.
 Mr. HICKS with Mr. SEARS.
 Mr. EDMONDS with Mr. COLLIER.
 Mr. GREENE of Massachusetts with Mr. DOREMUS.
 Mr. LUFKIN with Mr. SMITH of New York.
 Mr. HAUGEN with Mr. O'CONNELL.
 Mr. SNYDER with Mr. HUDSPETH.
 Mr. GOULD with Mr. MOONEY.
 Mr. ROSE with Mr. STEGMAN.
 Mr. KENNEDY of Rhode Island with Mr. TAGUE.
 Mr. PORTER with Mr. RIORDAN.
 Mr. GRAHAM of Pennsylvania with Mr. BRAND.
 Mr. MCARTHUR with Mr. RUCKER.
 Mr. TOWNER with Mr. BENSON.
 Mr. ROGERS with Mr. RAYBURN.
 Mr. STRONG of Pennsylvania with Mr. PELL.
 Mr. MCKINLEY with Mr. WELTY.
 Mr. MORIN with Mr. WILSON of Pennsylvania.
 Mr. TEMPLE with Mr. BLACK.
 Mr. GREENE of Vermont with Mr. ALMON.
 Mr. RAMSEY with Mr. GODWIN of North Carolina.
 Mr. KREIDER with Mr. MARTIN.
 Mr. KENDALL with Mr. BRUMBAUGH.
 Mr. ACKERMAN with Mr. STOLL.
 Mr. SMITH of Michigan with Mr. NEELY.
 Mr. HULL of Iowa with Mr. PHELAN.
 Mr. MADDEN with Mr. SMITHWICK.
 Mr. HAMILTON with Mr. HAMILL.
 Mr. KELLEY of Michigan with Mr. BLACKMON.
 Mr. BURKE with Mr. BOOHER.
 Mr. PARKER with Mr. LANGFORD.
 Mr. KLESS with Mr. EAGLE.
 Mr. CRAGO with Mr. BRINSON.

Mr. LEHLBACH with Mr. SCULLY.
 Mr. REAVIS with Mr. HERSMAN.
 Mr. LUHRING with Mr. NICHOLLS of South Carolina.
 Mr. MOORES of Indiana with Mr. ROWAN.
 Mr. PAIGE with Mr. SULLIVAN.
 Mr. ELLSWORTH with Mr. CULLEN.
 Mr. HULINGS with Mr. GOODWIN of Arkansas.
 Mr. DARROW with Mr. BUCHANAN.
 Mr. CURRIE of Michigan with Mr. DAVEY.
 Mr. BROWNE with Mr. HARRISON.
 Mr. BLAND of Indiana with Mr. DOMINICK.
 Mr. McLAUGHLIN of Michigan with Mr. DOUGHTON.
 Mr. BAER with Mr. GOLDFOGLE.
 Mr. ANDREWS of Maryland with Mr. DOOLING.
 Mr. KENNEDY of Iowa with Mr. CANTRILL.
 Mr. COSTELLO with Mr. CAREW.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question now is on the motion of the gentleman from New York for the previous question on the bill.

The question was taken, and the previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. WINGO) there were 143 ayes and 10 noes.

So the bill was passed.

On motion of Mr. PLATT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. COLLIER, by unanimous consent, was given leave of absence as of April 14 for an indefinite period on account of sickness in his family.

CELEBRATION OF ONE HUNDREDTH ANNIVERSARY OF ADMISSION OF STATE OF MAINE.

The SPEAKER. The Clerk will call the next committee.

The Clerk called the Committee on Coinage, Weights, and Measures.

Mr. VESTAL. Mr. Speaker, I call up the bill (H. R. 12460) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That, as soon as practicable, and in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union as a State, there shall be coined at the mints of the United States silver 50-cent pieces to the number of 100,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, and said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coining, providing for the purchase of material, and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purpose, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the Government shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Mr. VESTAL. Mr. Chairman, I yield five minutes to the gentleman from Maine [Mr. PETERS].

Mr. PETERS. Mr. Speaker, the proposition involved in this bill is to use a special design in the coinage of \$50,000 worth of half dollars in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union. The bill is based exactly on the act passed in the Sixty-fifth Congress in a similar case, in the matter of the admission of the State of Illinois. The rights of the Government have been entirely protected, as we believe, in the bill. No expense is involved on the part of the Government of the United States, the expense of preparing dies and all other details being taken care of by the State of Maine. The design prepared by the State under the terms of the bill must be approved by the Director of the Mint. There is the same amount of silver in the proposed half dollar as in the ordinary coined half dollar.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. PETERS. Yes.

Mr. TILSON. Is this to take the place of the coinage of any other half dollars during the next year?

Mr. PETERS. This does not change the regular business of coinage. It simply uses this design on \$50,000 worth of 50-cent pieces. It has no other effect on the coinage.

Mr. TILSON. It is well known that silver at the present time is at a very high price as compared with the former price or with the price as measured by gold. Will there be any difficulty in securing the silver metal or the additional amount of silver metal to make into these coins?

Mr. PETERS. I understand there will not be. The Government is coining 50-cent pieces, of course, from time to time, and in the next \$50,000 that is being coined, if this bill should become a law, this special design will be used. There is no expense whatever attached to the transaction on the part of the Government. We believe it to be a suitable and desirable way of recognizing an important historical event.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. PETERS. Certainly.

Mr. MILLER. Who is bearing the expense of the dies?

Mr. PETERS. The State of Maine pays all of the expense of the dies.

Mr. MONTAGUE. Has this measure the approval of the Treasury Department?

Mr. PETERS. It has the approval of the Secretary of the Treasury and of the Director of the Mint. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. VESTAL. Mr. Speaker, I move the previous question on the bill to final passage.

Mr. GARD. Mr. Speaker, I trust the gentleman will not move the previous question until we can get some information in respect to the bill.

Mr. VESTAL. I withhold the motion, Mr. Speaker.

Mr. GARD. Mr. Speaker, I regret that I could not hear all of the explanation of the gentleman from Maine [Mr. PETERS]. Is it the purpose to have the \$50,000 worth of these coins redeemed after the anniversary? I presume that when the anniversary is had the coins will be used in connection with the celebration. Then, naturally, after the celebration shall have ceased, outside of the sentimental or souvenir value, there will be no reason for the continuation of this particular design. Is there any provision in this bill for its discontinuance or for the redemption of the coins?

Mr. PETERS. Not at all; there could not be. The coins will be used exactly as any other 50-cent pieces are used. They will simply go into circulation with a special design upon them, as was the case in the State of Illinois some years ago.

Mr. GARD. I understand that, but what I am trying to get at is this: Some of the thrifty people in the State of Maine will take some of these 50-cent pieces and put them away where they will never see the light of day again, at least among people who circulate money by spending it. Is there going to be any power of redemption, or are these coins still to roam through our currency system?

Mr. PETERS. There is going to be no special power of redemption. They will continue to roam so long as they are in circulation. It can not be otherwise.

Mr. GARD. I see that section 2 provides for the transportation, distribution, and redemption of the coins in accordance with the laws now in force relating to subsidiary coinage.

Mr. PETERS. Certainly, so far as any coins are redeemed. These will have no special consideration and no special privilege. The general laws in respect to coinage apply to these 50-cent pieces just as to other 50-cent pieces.

Mr. GARD. I have in my hand Public, No. 163, which relates to the coinage of 50-cent pieces for the celebration of the anniversary of the admission of the State of Illinois into the Union. A hasty examination shows that the bill under consideration is the same as that contained in act No. 163.

Mr. PETERS. It is exactly the same, changing, of course, the United States?

Mr. GARD. Is there any provision about the dies, which shall not be made at Government expense, becoming the property of the United States?

Mr. PETERS. I think the law provides for that now. The law in force provides that all such dies shall be the property of the United States. They are made under the direction of the Director of the Mint.

Mr. GARD. Asking pardon for my crass ignorance on the matter, will the gentleman kindly advise me when this celebration is to be had?

Mr. PETERS. It is in progress now, and will be all of this year in the State of Maine.

Mr. GARD. There is no particular time at which a celebration will be had?

Mr. PETERS. Different towns and cities take up the matter during the summer and will have special celebrations, but it will be a general year of reunions and celebrations in the State of Maine in honor of our centennial.

Mr. VESTAL. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VESTAL, a motion to reconsider the vote by which the bill was passed was laid on the table.

COINAGE IN COMMEMORATION OF ADMISSION OF STATE OF ALABAMA INTO THE UNION.

Mr. VESTAL. Mr. Speaker, I call up the bill H. R. 12824.

The SPEAKER. The gentleman calls up the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12824) to authorize the coinage of 25-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union.

Be it enacted, etc., That as soon as practicable, and in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union as a State, there shall be coined at the mints of the United States silver 25-cent pieces to the number of 100,000, such 25-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, and said 25-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purpose, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the Government shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

The committee amendments were read, as follows:

Page 1, line 6, strike out "25-cent" and insert in lieu thereof "50-cent."

Page 1, line 7, strike out "25-cent" and insert in lieu thereof "50-cent."

Page 2, line 2, strike out "25-cent" and insert in lieu thereof "50-cent."

Mr. VESTAL. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. RAINEY]. [Applause.]

Mr. RAINEY of Alabama. Mr. Speaker, the purpose of this bill is to commemorate the one hundredth anniversary of the admission of the State of Alabama into the Union, which occurred December 14, 1819. The Committee on Coinage, Weights, and Measures, of which I have the honor of being a member, unanimously reported the bill favorably to the House. The original bill provided for the coinage of one hundred thousand 25-cent pieces, while the present bill, as amended, provides for the coinage of one hundred thousand 50-cent pieces in commemoration of that important historical event, and I now ask your favorable consideration and support for the passage of the bill.

Alabama's history and her traditions occupy a distinguished chapter in the history of our great Republic. Her agricultural and mineral resources constitute vast wealth, and her contribution to the Republic in eminent statesmen, orators, soldiers, educators, and sterling citizenship surpasses her untold and inestimable material wealth.

Hernando De Soto, a Spanish cavalier, ambitious to surpass in glory the exploits of Cortez, another Spanish cavalier, applied for and received a commission from the Spanish King, Charles V, to invade and subject the region then known as Florida. He organized a troop of bold adventurers and, after long, weary marches and many bloody engagements with Indian tribes, eventually succeeded in traversing that territory now known as the States of Florida and Georgia, and crossed what is now the Alabama-Georgia State line and entered Cherokee County, Ala., July 2, 1540. This event marks the first entrance of the white man into the domains of Alabama. Crossing the Coosa River, De Soto marched to Tallassee, stopping en route on a hill where now stands the majestic capitol of the State. At Montgomery De Soto met the Indian chief Tuskaloosa, whose reign extended over the broad territories bordering the Alabama and Tombigbee Rivers. From Alabama De Soto found his way into Mississippi, then into Tennessee, and on April 25, 1541, at Chickasaw Bluff, he discovered the Mississippi River. De Soto, fired by ambition and lured on by two desires, that of transcending the achievements of Cortez and to find the vast wealth of gold and gems of which he had heard such glowing stories, utterly failed in the accomplishment, and with blighted hopes he passed away and was buried in the waters of the Mississippi.

For more than a century and a half, so far as history discloses, Alabama was not visited by a solitary white man. In the year 1682 the French Government, under Louis XIV, with designs of conquest and the building of a mighty empire in

the New World, commissioned La Salle to explore the Mississippi River and in the name of France possess all that vast territory drained by the great river. In 1699 the first French colonists anchored near Mobile Point, settled at Biloxi, Miss., and in 1709 settled Mobile under the direction of Iberville, after whose death Bienville governed the colony for 30 years. With varying fortunes Mobile passed into Spanish possession, then to British, and again, in 1780, following a victory by Galvez over the British, Mobile fell into the hands of the Spanish. For more than 32 years it remained under Spanish rule. On April 15, 1813, Mobile was acquired by the United States through conquest, and the Stars and Stripes waved above its fort.

Alabama as a Territory of the United States developed rapidly. Settlers came in from Georgia, Florida, South Carolina, and North Carolina. The early history of the Territory abounds in battles and adventures with the Indians. The most notable of all the battles with the red men is that of Horseshoe Bend, near my boyhood home, in Tallapoosa County. It was here that Gen. Jackson drove the Indians into the bend of the Tallapoosa River and, after desperate and bloody fighting, slaughtered them by the hundreds. Many Americans were killed, the Indians bravely fighting to the last, many of them refusing mercy. In this battle Maj. L. P. Montgomery, after whom Montgomery County is named, was slain. The renowned Sam Houston, famous in Texas as well as in Alabama, was wounded in the same battle.

The early history of Alabama is checkered with thrilling adventure and romance. It was here that De Soto ended his brilliant and romantic career; it was here that Aaron Burr, that brilliant though debased conspirator, was arrested and thence conveyed to Washington for trial as a traitor; it was here that the exiled friends of Napoleon landed following his defeat at Waterloo. Courtiers and statesmen, brave generals who had achieved fame upon the proudest battle fields of the Old World, beautiful women whose presence once graced the courts of Europe, came as exiles and outcasts. Near Demopolis, Ala., the colony settled and there lived until the Bourbons, relaxing their hatred, recalled many of them. Others settled in the cities of the West, and few remained in the State.

The political life of Alabama, until it was admitted in 1819 into the Union of States, comprises the history of the Spanish, French, British, and American government of that territory which is now the State of Alabama. Its control has been under the flags of four nations, and in the sixties the flag of the Southern Confederacy floated from her capitol, where now waves the Stars and Stripes—now and forever. Many were the eminent statesmen, orators, and educators who directed the growth and development of this great State from its birth. William R. King, statesman and orator, contributed his great talents and service to the State. He served in Congress, in the Constitutional Convention, United States Senate, was minister to France, and in 1852 was elected Vice President of the United States. Alexander B. Meek is the father of the public-school system in Alabama, and in 1853 introduced a bill to establish and maintain a system of free public schools in this State. The term of Gov. Thomas Bibb, 1820–21, marks an era of great prosperity. Settlers flocked to the State, newspapers were established, steamboat companies were organized, the University of Alabama was chartered, lands were opened for settlers, and schools were established. In 1825 Gov. Pickens received, in Montgomery, Gen. Lafayette, the bosom friend of George Washington, as the State's guest. The people greeted him with a continuous ovation in his journey from Montgomery to Mobile. The brilliant William L. Yancey entered politics in Alabama in 1841, served in Congress, became leader of southern Democrats, was commissioner to England, drew up the ordinance of secession and secured its passage. William L. Yancey, orator and statesman, has been rightly called the "Demosthenes of the South."

Among Alabama's great men I may justly mention Henry W. Hilliard, statesman, orator, and educator. He was minister to Belgium under Harrison and minister to Brazil under Hayes. Among the distinguished Alabamians who won the rank of general in the cause of the Southern Confederacy are James A. Longstreet, Josiah Gorgas, W. W. Allen, Daniel Leadbetter, Cullen A. Battle, James Cantey, J. T. Holtzclaw, James H. Clanton, Henry D. Clayton, and Sterling A. M. Wood. The daring exploits of Admiral Raphael Semmes are known to the world, and the Confederate cruiser *Alabama* is celebrated in the annals of naval history. Beside John Paul Jones, who sailed his ship under the cliffs of the English Channel, Raphael Semmes stands without a peer. During the trying days of the Civil War deeds of heroism and valor were not confined to

the men of my State. There were deeds of heroism, brave sacrifice, and uncomplaining suffering on the part of the noble women of Alabama, whose virtues and deeds are not recorded on the pages of human history.

Of the many heroic women of that State there is one, at least, whose name lives in history, whose heroism is clothed in beautiful verse of many poets, and whose memory is perpetuated in marble and granite. In Gadsden, my home city, Emma Sansom lived as a girl. A monument to her memory stands on the banks of the Coosa River. Almost within the limits of the city, preserved by the State, is the old Sansom homestead, where the heroine spent her girlhood days. Gen. Forest, in his pursuit of Col. Streight, whose raiding force of 2,000 men were headed for Rock Run Furnace, in Cherokee County, to destroy it, together with connecting railway lines to Rome, Ga., when he reached the swollen waters of Black Creek he had almost overtaken Streight and needed a guide to conduct him to a ford of the creek. Emma Sansom volunteered and leaped on the horse behind the general. Soon shot and shell were striking about them, but bravely this 16-year-old girl piloted the general to a safe landing. He continued his pursuit of Streight, and, by strategy and skill, captured him and his 2,000 picked troops at Laurence, Cherokee County, with a force of barely 600 men.

Gen. Joseph Wheeler, a veteran of two wars, served for many years in this House. He rendered valiant service to the Confederacy, and in the War with Spain Gen. Wheeler donned the "blue," unsheathed his sword for his country, and carried the Stars and Stripes to victory at Santiago. As a reward for his gallantry President McKinley appointed him a major general. He served a short period in the Philippines, was retired as a major general, and died a few years thereafter. His remains now repose in beautiful Arlington Cemetery, on the banks of the Potomac, beneath the tallest monument adorning that great national burying ground. Alabama has furnished one Justice to the United States Supreme Court, Justice John A. Campbell. She has contributed many statesmen, soldiers, orators, and men and women of letters. Among the latter I recall the names of Mrs. Chaudron, Mrs. Octavia Le Vert, Mrs. Elizabeth Bellamy, Mrs. Augusta Evans Wilson, T. C. De Leon, Joseph Hamilton, Hannis Taylor, Abram J. Ryan, Dr. Thomas M. Owen, Albert A. Mullen, Samuel Minter Peck, William Russell Smith, Mary Johnson, Dr. J. L. M. Curry, whose statue now adorns Statuary Hall in this Capitol, and many others whose names I can not now recall.

Alabama's dark days of reconstruction, like those of every other Southern State, are not matters of pleasant reminiscence, and I shall forego any further reference here. Suffice that it be said, Alabama and her people are true. In the War with Spain she cheerfully contributed her brave sons, and in the world's Great War the flower of the State, in the Rainbow Division, astonished the world, broke the Prussian Guard, and carried Old Glory to victory. The names of these brave men would fill a volume. Hundreds of them I know personally, many of whom now sleep amid the poppies in Flanders Field.

I should prove recreant to duty if I failed to mention Alabama's three grand old men—Gen. Pettus, John T. Morgan, and John Hollis Bankhead. John T. Morgan's great fight for the Nicaragua Canal ultimately resulted in opening the work at Panama, but it remained for another Alabamian to consummate the great plan—Gen. William L. Sibert, of Gadsden, Ala. The work of John Hollis Bankhead stands as a monument to the great material development of Alabama.

Of the mineral and agricultural wealth of Alabama and her material development I have not spoken. Her growth in population, her splendid cities, her vast resources, stand as monuments to the world and need no encomium from me. Recently \$50,000,000 were voted in bonds to build highways in the State. Mobile Bay furnishes a splendid harbor; the Alabama is navigable; the Warrior has been made so with locks and dams; the Coosa, larger than the Warrior, by the maintenance of the storage or reservoir system will furnish a great artery of commerce to the Gulf.

Alabama has risen from the ashes of war and the desolation of reconstruction to its present exalted station. With you her citizenship rejoices in the prosperity and glory of the Republic. Her people, devoted and true, are ever ready to respond to duty's call in defense of flag, home, and country. In all that is good and great for the advancement of America, whether it be sacrifice in time of war or labor in days of peace, Alabama is ever ready to respond with all her resources and with all her strength. [Applause.]

Mr. GARD. Will the gentleman yield?

Mr. VESTAL. I will yield.

Mr. GARD. I was wondering whether the committee had taken into consideration this question. Of course, I do not

like to oppose, and hardly anyone here would oppose, and I favor the purpose of issuing these commemorative coins, but what I would like to know is how many of these constructive measure bills the Committee on Coinage, Weights, and Measures are now going to bring out, and I speak of that seriously for this reason: The integrity of money is maintained largely and more easily with the integrity of design. Now, where designs are made numerous and fantastic, as they may be for the purpose of a centennial or a memorial celebration, have the gentlemen on the Coinage, Weights, and Measures Committee borne in mind the difficulty as incident to coinage measures with respect to the increase of the possibility of counterfeiting? I speak of that because it would seem to me if we are going on with a number of these half dollars for Maine, Arkansas, Alabama, Ohio, Pennsylvania, and Massachusetts, and they are each to have State half dollars, because that is what it amounts to, are not we in danger of overdoing the proposition? Are not we getting away from the stability of design which makes people understand what it means, and are not we in danger of laying ourselves open to fantastic and frivolous currency which in the future must be redeemed by the issuance of stable coins representing 50 cents?

Mr. VESTAL. I will say to the gentleman that the point raised is a serious one. These bills were sent to the Secretary of the Treasury for his report, and I might say that there is only one other bill of this kind. His suggestion is along the same line of the gentleman from Ohio, that there ought not to be too many of these bills for that reason.

Mr. GARD. Well, his only suggestion I see in the report is in the letter—I have not the favor of the whole letter, but I speak from the part used by the committee—where he states that the department has no specific recommendation to make.

Mr. VESTAL. That is the report that is given to the committee, and a personal conversation with him after these three bills had been reported.

Mr. GARD. What is the other bill to be reported?

Mr. VESTAL. H. R. 13227.

Mr. GARD. What is it about?

Mr. VESTAL. It is a bill introduced by Mr. WALSH of Massachusetts to commemorate the landing of the Pilgrims.

Mr. GARD. Is there also to be a coin for the anniversary of the landing of the Pilgrims?

Mr. VESTAL. Yes; there is to be a coin.

Mr. GARD. A 50-cent coin, too?

Mr. VESTAL. A 50-cent coin.

Mr. GARD. That simply illustrates the drift of things I have been trying to explain. I am sure with everyone here I am in favor of having a big celebration wherever these State celebrations occur, because I think that makes for a better public spirit, but for the life of me I can not see what advantage there is for a State celebration to gather up a lot of coins with a particular stamp on them. It seems to me rather to cheapen the national coin, because it looks like an old-fashioned medal at a county fair rather than the half dollar of the daddies, to use the old expression. I think that these propositions are open to serious objection, which, of course, should be voiced by the Secretary of the Treasury, because if the Secretary of the Treasury and his executive officers are willing to take up the burden of maintaining these coins and seeing that they are not counterfeited, seeing that the dies are protected and they are not used except for the purposes authorized by the act, then surely there could not be much complaint from the legislative side, but I speak the way I do because it seems to me upon serious reflection that we are in actual danger of overdoing this commemoration coin stuff, and instead of making it an attribute which would inure to the benefit of the State or community, we are going beyond that and are cheapening our coin. I hope the gentleman and his committee will bear in mind in slight measure what I have said regarding it, at least for transmission to the Secretary of the Treasury.

Mr. VESTAL. Mr. Speaker, I will be glad to do that. Mr. Speaker, I move the previous question on the bill and all amendments.

The question was taken, and the previous question was ordered.

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union."

On motion of Mr. VESTAL, a motion to reconsider the vote by which the bill was passed was laid on the table.

COINAGE IN COMMEMORATION OF THE LANDING OF THE PILGRIMS.

Mr. VESTAL. Mr. Speaker, I call up the bill H. R. 13227.

The SPEAKER. The gentleman calls up the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13227) to authorize the coinage of a 50-cent piece in commemoration of the three hundredth anniversary of the landing of the Pilgrims.

Be it enacted, etc., That in commemoration of the three hundredth anniversary of the landing of the Pilgrims there shall be coined at the mints of the United States silver 50-cent pieces to the number of 500,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Mr. VESTAL. I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, this measure is along the line of those previously passed. I want to say that I appreciate the suggestion made by the gentleman from Ohio [Mr. GARD], but I would direct his attention to the fact that the Congress is not establishing any new practice in authorizing these souvenir coins in commemoration of important historic events. At the time of the World's Fair in Chicago they authorized, I believe, the coinage of five million 50-cent pieces. We seldom see any of them in circulation now. I suppose they have either been lost or have gone into the hands of souvenir hunters, and are treasured mementoes of that great event.

Of course, there is no need to elaborate upon the importance of the great event which these coins are authorized to commemorate in part. If the gentleman from Ohio has any new questions in connection with these matters that have come up in his mind, I shall be very glad to attempt to answer them.

Mr. GARD. I would like to have information from the gentleman about the merits of the bill for which he stands sponsor. I know the bill provides for 500,000 of these 50-cent pieces, thus raising the limit over the State of Maine by some 400,000.

Mr. WALSH. Yes. This is a tercentenary instead of a centenary. It is a three hundredth anniversary instead of a one hundredth anniversary.

Mr. GARD. I understand. So the gentleman's idea is that if we could dig up a four hundredth anniversary, they would be entitled to still more?

Mr. WALSH. Yes, sir.

Mr. GARD. Has the gentleman in his general store of information knowledge as to how many half dollars there are in the United States?

Mr. WALSH. No; I have not. I will say to the gentleman I seldom see one, and it is a pretty difficult matter to keep track of them, but there are a very large number. I think if they were all placed to my credit I would be perfectly willing—

Mr. GARD. I ask the gentleman's indulgence for a moment to inquire of the chairman of the committee, the gentleman from Indiana [Mr. VESTAL], if he has any information, in the confusion of coins, as to how many 50-cent pieces there are issued?

Mr. WALSH. Does the gentleman mean how many different designs?

Mr. GARD. How many in bulk or amount?

Mr. VESTAL. I have not that information.

Mr. GARD. How large an amount of 50-cent pieces in money is the United States sponsor for now as issued from its mints?

Mr. VESTAL. I am not able to give the gentleman that information.

Mr. WALSH. Has the gentleman from Ohio any further question?

Mr. GARD. No; I have not any further question.

Mr. MILLER. Will the gentleman yield for a short question?

Mr. WALSH. I will.

Mr. MILLER. I see that this bill is in relation to the commemoration of the landing of the Pilgrims. At what place, Provincetown or Plymouth?

Mr. WALSH. In Massachusetts.

Mr. MILLER. That includes both the landing at Provincetown and at Plymouth?

Mr. WALSH. They made the first landing at Provincetown, and then made their settlement at Plymouth.

Mr. MILLER. With 9 or 10 days' difference.

Mr. WALSH. About a month.

Mr. DUNBAR. Mr. Speaker, these half dollars, as I understand, will contain more than 50 cents' worth of silver bullion?

Mr. VESTAL. These pieces authorized to be coined here will have the same amount of silver as the ordinary half dollar.

Mr. DUNBAR. The ordinary half dollar, as I understand it, is at a premium. If the silver dollar is melted into bullion, it will bring more than a dollar. Will these silver half dollars which are to be coined contain more than 50 cents' worth of silver bullion?

Mr. VESTAL. I can answer the gentleman by saying there will be no difference.

Mr. DUNBAR. I know there will be no difference. You stated that. What I want to know is how much silver will actually be in these half dollars, and if there is an expense to be incurred by reason of their coinage will the United States bear that expense?

Mr. VESTAL. Oh, no.

Mr. DUNBAR. Who will bear it?

Mr. VESTAL. The State of Massachusetts.

Mr. Speaker, I move to amend the bill, on line 6, page 1, by striking out the word "five" and inserting in lieu thereof the word "three."

The SPEAKER. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VESTAL: Page 1, line 6, strike out the word "five" and insert in lieu thereof the word "three."

Mr. GARD. What is the reason for that?

Mr. VESTAL. The committee in consideration of this measure reported 300,000 instead of 500,000, but in the printing of the bill—

Mr. GARD. The bill as it came out was for 500,000?

Mr. VESTAL. Yes; it was a mistake in the printing of the bill.

Mr. GARD. Is this a committee amendment?

Mr. VESTAL. It is.

Mr. GARD. For 300,000?

Mr. VESTAL. For 300,000 instead of 500,000.

Mr. GARD. Is there any thought in the mind of the gentleman from Indiana or in the mind of the gentleman from Massachusetts that there will be any increased purchasing power of these half dollars issued for the tercentenary celebration?

Mr. WALSH. Why, I think very likely, particularly on Cape Cod.

Mr. GARD. I trust that I may have an opportunity of spending a few days there.

Mr. WALSH. I think that each of the three States that are interested in these measures will be very glad to have the gentleman within its borders for the purpose of acquiring and assisting in circulating some of these special coins.

The SPEAKER. The question is on the amendment offered by the gentleman from Indiana [Mr. VESTAL].

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. VESTAL. Mr. Speaker, I want to move to amend the title by striking out "a 50-cent piece" and inserting in lieu thereof "50-cent pieces."

The SPEAKER. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the title by striking out the words "a 50-cent piece" and insert in lieu thereof "50-cent pieces."

The SPEAKER. Without objection, the amendment is agreed to.

On motion of Mr. VESTAL, a motion to reconsider the vote by which the bill was passed was laid on the table.

STANDARDS OF MEASURES.

Mr. VESTAL. Mr. Speaker, I call up the bill H. R. 12350.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 12350) to fix standards for hampers, round-stave baskets, and splint baskets for fruits and vegetables, to establish a standard box for apples, and for other purposes.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of the bill. The gentleman from Massachusetts [Mr. WALSH] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12350, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12350, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12350) to fix standards for hampers, round-stave baskets, and splint baskets for fruits and vegetables, to establish a standard box for apples, and for other purposes.

Mr. VESTAL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to dispensing with the first reading of the bill?

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. VESTAL] is recognized.

Mr. VESTAL. Mr. Chairman, this bill seeks to standardize hampers, round-stave baskets, and splint baskets for fruits and vegetables and is along the line of the legislation that has heretofore been passed by Congress standardizing the Climax grape baskets and other fruit containers. The bill provides for five different sizes of hampers. At the present time there are something like 49 different styles or varieties of hampers and about 34 different sizes.

The photograph I have here [exhibiting same] will give the committee an idea of the different varieties and sizes of hampers that are now being used in the United States in the marketing of fruits and vegetables. This bill proposes to eliminate about 30 sizes and to standardize 5 different sizes of hampers.

The committee can readily see that with the hampers that are now being used, ranging all the way from the size of a quart to 50 quarts, in the use of a 27-quart hamper or a 28-quart hamper the ordinary consumer can not tell the difference between that and a bushel, and the styles and sizes are made in such a way that the ordinary layman could not tell the difference between a hamper containing 27 quarts and a hamper containing 32 quarts. So the bill proposes to standardize the peck hamper, the half-bushel hamper, the five-eighths-bushel hamper, the bushel, and the bushel and a half, eliminating all the other different sizes and styles of hampers.

The same thing applies to the round-stave basket. This photograph [indicating] shows the number of sizes and styles of the round-stave basket. The bottom row illustrates what the sizes of the baskets will be if standardized under this bill, except that we have included in the bill a five-eighths bushel round stave basket, making five sizes of the round stave basket and eliminating about 30.

This photograph [indicating] illustrates what was done by recent legislation in Congress in the way of standardizing the small fruit basket. The bottom photograph shows the number and sizes of baskets that were in use before the standardization bill was passed. At the top are shown the ones that are in use now.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. VESTAL. Yes.

Mr. JUUL. Is there anything in this legislation that shall settle the question whether the bottom of the basket shall be in the bottom or up in the middle? [Laughter.]

Mr. VESTAL. Yes.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. GARD. By whom are these illustrations of obsolete and new designs prepared?

Mr. VESTAL. By the Bureau of Markets. This photograph shows at the top the number of splint baskets and sizes and styles that are now used. The bottom shows what would be the sizes under this bill—8 quarts, 12 quarts, 16 quarts, 20 quarts, and 24 quarts. The photograph that I showed a moment ago illustrates what the committee has included, the five-eighths bushel basket.

Mr. CASEY. Why a five-eighths basket?

Mr. VESTAL. The bill as originally drawn excluded the five-eighths bushel basket. Extensive hearings were had on this bill. It developed that in the marketing of tomatoes especially the five-eighths bushel basket was used in every State, practically, where they were marketing tomatoes. Especially in the States of New Jersey, Delaware, Maryland, Indiana, and Ohio they were using the five-eighths bushel baskets, and the evidence before the committee convinced the committee that it was a size that ought to be included. In fact, it is a large half bushel—five-eighths—so that there can be no mistaking it. You get a large half bushel instead of a small. There would be no deception there, and there would be no mistaking the five-eighths for a full-sized bushel.

Mr. EVANS of Nevada. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. EVANS of Nevada. Is that to be stamped by the Government?

Mr. VESTAL. No; these containers under the bill are not supposed to be stamped. We are fixing the dimensions and capacity of these baskets so that they must contain a half bushel, or bushel, or bushel and a half.

Mr. EVANS of Nevada. But they are plain, and no stamping is required?

Mr. VESTAL. No; but it is made unlawful to manufacture any other sizes.

Mr. KNUTSON. There is no necessity of stamping if it is made unlawful to use any other sizes.

Mr. BROOKS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. BROOKS of Pennsylvania. I want to inquire if there is anything in this bill that requires the contents of the container to be marked on the outside of it?

Mr. VESTAL. No.

Mr. BROOKS of Pennsylvania. I think the bill should be amended so that the capacity of the container should be marked on the outside, so that people purchasing any of these products in baskets may know just what they are getting. For instance, a woman or a general purchaser does not know the difference between the appearance of a five-eighths bushel or one-half bushel.

Mr. LAYTON. If the gentleman will allow me to explain, I may say that the five-eighths bushel basket will not be used in the marketing of general food products. Under the evolution of the tomato industry it has been found that for field work, for factory work, and for all work connected with the gathering, handling, and delivery of the tomato the five-eighths basket is the maximum amount of the vegetable that can go without crushing in the hamper, and is the one size that can best be used in the field for the ordinary boy or girl or man to carry. Anything under it is a loss of 20 per cent, and anything above it is too much to handle and results in loss of efficiency.

Mr. BROOKS of Pennsylvania. But in the regular marketing of fruits and vegetables I think that the basket should be marked to show just exactly what it contains, so that the purchaser going to the market or going to the store may know just what amount of fruit or vegetables he buys.

Mr. LAYTON. Does the gentleman suppose anybody would have any difficulty in seeing the difference between a peck measure and a half bushel, or between a half bushel and a bushel?

Mr. BROOKS of Pennsylvania. No; they would have no difficulty concerning that, but they could not tell the difference between a five-eighths bushel measure and a four-eighths bushel measure.

Mr. LAYTON. The five-eighths of a bushel does not enter into this matter at all for general purposes. It is only for tomatoes, and the experience of 30 years shows that a five-eighths basket is the evolution of utility for the handling of that one special product.

Mr. BROOKS of Pennsylvania. Take the case of peaches.

Mr. LAYTON. They are not put in five-eighths baskets.

Mr. BROOKS of Pennsylvania. They are put in all kinds of baskets.

Mr. GARD and Mr. JUUL rose.

Mr. JUUL. Will the gentleman yield?

Mr. VESTAL. I want to yield to the gentleman from Ohio [Mr. GARD].

Mr. GARD. I am glad to yield to the gentleman from Illinois.

Mr. JUUL. What is the use of having a basket that, if it was full, would contain a bushel, if there is not in the law something compelling the seller of the merchandise to put a bushel of stuff into it? You are simply dealing with baskets here. I want to see it made compulsory that the basket shall contain its full capacity.

Mr. LAYTON. It must be full or it can not go into interstate commerce.

Mr. JUUL. Is there anything in the law which compels that?

Mr. LAYTON. Yes.

Mr. JUUL. The gentleman from Indiana [Mr. VESTAL] said no.

Mr. VESTAL. The committee have excluded the filling provision that was originally in the bill, for the reason that there is now pending in the House a bill reported from the Committee on Agriculture amending the pure food and drugs act which compels the filling of all these containers according to strict com-

mercial practice. That is the reason why it was eliminated from this bill.

Mr. JUUL. Does not the gentleman think this would be a good place to have it?

Mr. VESTAL. I am not so sure about that. This bill seeks simply to provide certain containers, making it unlawful to manufacture, sell, or offer for sale, for instance, a 27-quart measure or a 28-quart measure. Those are all cut out. This is done so that if the ordinary person goes in to buy a bushel of potatoes the basket which holds those potatoes shall be a bushel basket.

Anybody can see whether or not the bushel container is full, but can not tell so much about the size of the container. For instance, this particular thing developed in the hearings, which satisfied my mind with reference to the justice of this sort of legislation: Gentlemen were before the committee asking for the retention of the 14-quart basket or hamper. They claimed that they needed that in their business, that it was absolutely necessary. I asked one of them, "Why do you desire to keep the 14-quart basket? Why not eliminate the 14-quart basket? We have the 16-quart or half-bushel basket. Why is not that sufficient?"

He immediately replied, unwittingly, I suppose, "The reason we want the 14-quart basket is because we get just as much money for 14 quarts as we do for 16 quarts."

That is, they were putting over on the public a 14-quart basket for a 16-quart basket.

Mr. BROOKS of Pennsylvania. That is the very reason why I shall insist that the container shall be marked so as to show just exactly what it contains, so that people will know exactly what they are buying.

Mr. VESTAL. I see the force of the gentleman's contention.

Mr. BROOKS of Pennsylvania. People go to markets and stores and buy fruits and vegetables by the basket, and many of them do not have any idea whether they are getting half a peck or three-quarters of a peck.

Mr. VESTAL. If there is no such thing as a 14-quart basket on the market, and if there is nothing but a 16-quart basket, the purchaser is bound to get 16 quarts whether it is marked on the outside of the basket or not.

Mr. KELLAR. Is there not a law now on the statute books, which was reported by the Committee on Agriculture, providing that containers must be marked to show how much they contain?

Mr. VESTAL. I think those are only State laws which compel the marking of the package. This bill does not provide for it.

Mr. STRONG of Kansas. What is the objection to providing in this law that they shall mark the baskets to show the sizes?

Mr. VESTAL. I do not know that there is any objection to it, but I do not believe it will help any.

Mr. GARD. Will the gentleman yield?

Mr. VESTAL. I yield to the gentleman from Ohio.

Mr. GARD. I want to get some information about the bill, and I ask the gentleman's indulgence. There is an existing law fixing the standard barrel for fruits, vegetables, and other dry commodities. That law was passed by the Sixty-third Congress. I take it that it relates exclusively to the barrel as a standard container, does it not? It seems to be a standard barrel for fruits, vegetables, and other dry commodities, other than cranberries.

Mr. VESTAL. That covers cases where the barrel is used.

Mr. GARD. Is it commercially necessary to follow the language of our present law, as you do here in part only? You say the standard hamper for fruits and vegetables shall be a one-peck hamper, one-half bushel hamper, and so forth. Is it necessary to say that this standard hamper for fruits and vegetables and other dry commodities other than cranberries shall be of a certain dimension? In other words, when we passed the standard-barrel bill there seemed to have been a different scale or standard applied to cranberries from the one applied to fruits, vegetables, and other dry commodities. Probably the gentleman from Delaware [Mr. LAYTON] can tell about cranberries. What I want to know is, first, whether this language should be included in the present bill?

Mr. VESTAL. I will say to the gentleman that I am not sure about that. We had Mr. Downey, of the Bureau of Markets, before the committee, and he went over the language very thoroughly. That did not occur to me, and I do not know whether that language should be included or not.

Mr. GARD. When we passed this bill I remember that there was quite a discussion about the cranberry barrel and the barrel provided for other than fruits and vegetables. There seemed to be a difference between barrels for the use of dry

commodities and wet commodities. Of course the wet commodities have largely ceased.

The CHAIRMAN. The gentleman from Indiana has consumed 20 minutes.

Mr. VESTAL. I will take five minutes more, Mr. Chairman.

Mr. GARD. I want to call the gentleman's attention further to this.

Mr. VESTAL. It seemed to me that in regard to the standard-barrel act, cranberries are packed in a different sort of a barrel from other commodities and is exempt.

Mr. GARD. Cranberries are exempt in the barrel act.

Mr. VESTAL. We are not seeking to standardize the barrel, but certain hampers that are not used in the marketing of cranberries.

Mr. GARD. I am referring to the additional phrase "other dry commodities."

Mr. LAYTON. Will the gentleman yield?

Mr. GARD. I will.

Mr. LAYTON. There is a difference between cranberry and other fruits for this reason: There is no one who would buy cranberries except from the retailer, and therefore a variety of kinds of packages for cranberries are not so necessary, because they will be distributed through the retailer, and the public is not going to be injured or cheated.

Mr. GARD. That argument is not conclusive, to my mind. If a man buys a barrel of cranberries he wants to know what the barrel contains. If he buys a barrel of cranberries he ought to have some standardized measure. I call the gentleman's attention to page 15 of his bill, which provides that this act shall not prohibit the manufacture of baskets or parts thereof to any foreign country in accordance with the specifications of a foreign consignee. The present law about the barrel is:

Provided, That no barrel shall be deemed below the standard within the meaning of this act when shipped to a foreign country and marketed according to specifications or directions of the foreign purchaser if not in conflict with the laws of the foreign country under which it is intended to be shipped.

Mr. VESTAL. The language in this act is not the same, but it means the same thing.

Mr. GARD. The gentleman thinks the language in his bill is practically the language in the barrel bill.

Mr. VESTAL. I think it will have the same effect.

Mr. GARD. I want to call attention to the additional exception which, I presume, is a committee amendment, as it appears on page 15, "nor shall this act prevent the manufacture of banana hampers of the shape and character now in commercial use as shipping containers for bananas." What is the object of that exception?

Mr. VESTAL. Bananas are not shipped in crates. There are different sizes of bunches of bananas. The crates that are around them are built over the bunch of bananas. One bunch may contain a certain number of dozen and another bunch contain a much larger number, and so the exception is made in favor of the covering of the bunch of bananas.

Mr. SINNOTT. Will the gentleman yield?

Mr. VESTAL. Certainly.

Mr. SINNOTT. How does this bill affect the small strawberry boxes as containers?

Mr. VESTAL. It does not affect them at all.

Mr. WELLING. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. WELLING. Does this bill change the size or the standard of the Northwest apple boxes?

Mr. VESTAL. It does not.

Mr. BLANTON. Will the gentleman yield?

Mr. VESTAL. Certainly.

Mr. BLANTON. Does this bill give any particular or exclusive right to any particular kind of container or patented container?

Mr. VESTAL. Not at all.

Mr. BLANTON. It leaves it absolutely open to any manufacturer?

Mr. VESTAL. Yes. Now, Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. KELLER].

Mr. KELLER. Mr. Chairman, the purpose of this measure, as you will note from its title, is to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables. I view all standardization as a benefit to the consuming public, and, while there is no intention of placing any burden upon the middleman, it is a significant fact that the consumer invariably must foot the bill. The added expense caused by inefficiency in market produce is passed on to the consumer, thus increasing the cost of living.

The lack of uniformity in the sizes and dimensions of fruit and vegetable containers has stirred up a general demand for their standardization through Federal legislation. Individual

States have taken it upon themselves to fix standards within their own jurisdictions, which, in turn, has complicated the situation to a greater extent. It is very clear that a Federal law is the only solution to this really national problem.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLER. I will.

Mr. BLANTON. There was an attempt some time ago in the House to standardize the containers of flour and meal. After all of the time wasted in the passage of that bill, we have no standard barrel for flour. Is there any more definite good that will come from this legislation?

Mr. KELLER. Why have we not a standard barrel for flour now?

Mr. BLANTON. If the gentleman will look over the legislation which finally passed, he will see that we are without a standard barrel for flour.

Mr. KELLER. I believe that we have a standard barrel for flour. This bill is definite and positive.

Mr. BLANTON. Will this bill cause the manufacturers of containers that are not standardized to scrap their plants?

Mr. KELLER. No.

Mr. BLANTON. I mean whether they will have to get new machinery and remodel their whole business.

Mr. KELLER. No; the manufacturer that makes these kinds of containers can readjust his machinery to comply with this bill with little cost.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. KELLER. Yes.

Mr. MOORE of Virginia. Will the gentleman tell us whether, and to what extent, if at all, the shipment of apples will be affected by the provisions of this bill?

Mr. KELLER. Not at all, because the section covering apple boxes was taken out of the bill.

Mr. MOORE of Virginia. Then the matter of the containers in which apples are shipped is altogether excluded from this legislation?

Mr. KELLER. Yes. While there has been some opposition to this measure, it is, indeed, a source of gratification to know that the honest producer and grower, the honest commission merchant, the honest retail merchant, and the general public are heartily in favor of it. With the innumerable types, sizes, shapes, and forms of containers now in use throughout the country it is remarkable, indeed, that no greater protest has been registered by those concerned in the growth, distribution, and consumption of farm produce. Neither the buyer nor the seller can have even an accurate conception of the true contents of the basket or crate offered for sale. In purchasing vegetables at a market the ordinary consumer rarely, if ever, ascertains the weight or measure of the commodity he desires. He asks for 10 cents or 25 cents or 50 cents worth of a certain vegetable, and evidently assumes that he is getting value according to some standard measurement, when, as a matter of fact, he has trusted to the honesty of the dealer to see that he is getting value for his money. This simply paves the way for much misunderstanding, deception, and even fraud in the marketing of these commodities.

The continuance of such a system is unfair to the honest producer, it works an injustice on the straightforward middleman, it subjects the dealer to the condemnation of the general public, and indirectly adds to the high cost of living. With a standardized container in use throughout the country, protection is assured to every agency involved in the distribution of fruits and vegetables from the producer and grower down to the consumer.

As stated above, the demand for standardization is nationwide. Differences exist only as to what containers shall be adopted as standards. Consideration has, of necessity, been given to certain shapes and sizes of containers used in certain sections of the country for local utility, but there would seem to be no valid reason for the great diversity of containers in use throughout the country when the same result can be had by reducing these containers to a certain standard and eliminating the confusion resulting from such diversity. The legitimate business man demands that his business and his integrity be protected, while the consumer demands a system whereby he may ascertain the true quantity of a certain commodity when purchasing it. No substantial reason can be given for the existence of two containers so nearly alike in volume as the 14-quart and the 16-quart peach basket or the seven-eighths bushel and the bushel bean hamper. The smaller container generally masquerades for the larger.

There are in common use to-day over 40 types of cabbage crates, 20 styles of celery crates, 30 lettuce crates or boxes, 50 types of hampers, 20 sizes of round-stave baskets, and 25 sizes

of splint or market baskets, where a few essential sizes would answer all the demands of the trade. This condition is most undesirable. Manufacturing costs are increased; losses to the shipper or carrier through breakage in transit are increased. The ultimate result is the tendency to increase wholesale and retail prices. The general public is called upon to pay for this inefficiency and lack of system in marketing.

A thorough canvass of the varied sections of the country has resulted in the conclusion that five sizes of hampers are ample to satisfy all the requirements of the trade. These sizes are the 1-peck hamper, one-half-bushel hamper, five-eighths-bushel hamper, 1-bushel hamper, and 1½-bushel hamper, the capacities and specifications for which are included in this measure.

The round-stave basket is perhaps more generally used as a shipping container than the hamper. This container can be used in shipping most varieties of fruits and vegetables. A confusing variety of this basket is also in use, to simplify which this measure reduces the number to five—one-half, five-eighths, 1, 1½, and 2 bushel basket, of a capacity and conforming to certain specifications.

Splint baskets are used quite generally in the marketing of fruits and vegetables. Like the hamper and the round-stave basket, the splint or market basket has an endless variation of size and shape, many of which are deliberately made for deception. When State or municipal agencies commence to doubt the contents of containers, the wily salesman sells his produce "by the basket," not mentioning the size. The only antidote for this evil is standardization, and I trust this House will readily appreciate the growing necessity for the enactment of the proposed legislation.

The original bill as introduced empowered the Secretary of Agriculture to prescribe tolerances in the quantities of fruits or vegetables to be packed in hampers, round-stave baskets, splint baskets, and so forth, but the committee in its final draft of this measure has seen fit to eliminate this provision, for the reason that it has already been provided for in the bill H. R. 10311, now pending on the calendar. Personally I strongly favor such a provision; it is another step forward in protecting the honest dealer and the consumer.

In conclusion I want to offer a few words of commendation to the Bureau of Standards for their whole-hearted and efficient assistance in connection with this progressive work. The untiring efforts of the employees of the bureau in compiling data and statistics and the thoroughness with which they have investigated every phase of marketing produce in all sorts of containers and in all parts of the country is worthy of note. Seldom is any good word spoken on the floor of this House for any of the Government bureaus, and I therefore take pleasure at this time in commending the Bureau of Standards for their efficiency. [Applause.]

Mr. GARD. Mr. Chairman, I ask for recognition in opposition to the bill.

Mr. VESTAL. Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN (Mr. DOWELL). The gentleman from Ohio is recognized for one hour.

Mr. GARD. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, this seems to be a very comprehensive measure, and was reported only on the 19th of April. It apparently makes some important changes and imposes some very new restrictions upon the use of containers for fruits and vegetables. I do not see in the bill any exception saved which would permit the operation of laws which have passed the Congress heretofore fixing definite standards for certain classes of commodities. We passed an apple-barrel bill, as I recall it, and if I am not mistaken a bill for cranberries and other dry commodities. As I read this bill rather hastily, the only exception that has been made is apple boxes. If this bill becomes a law, the previous act which we passed fixing the standard for apple barrels will be suspended, will it not?

Mr. VESTAL. I think not. We are only standardizing certain containers and only attempt to do it—hampers, round-stave baskets, and splint baskets for fruits and vegetables. Those are the only things standardized by this bill. It will not affect any standardization of a barrel. There is provision in the bill on page 13 that the act shall not apply to baskets or other containers having a capacity less than 4 quarts. I do not think this will in any way conflict with the apple barrel act.

Mr. WALSH. The question is, When does a container cease to be a hamper and become a barrel, or when does it cease to be a round-stave basket and become a barrel? Is there anything in the gentleman's hearings to show when it is classified as a barrel?

Mr. GARD. Is the gentleman asking about the barrel bill?

Mr. WALSH. I was asking whether or not this measure superseded the standard barrel bill which was passed, I think, in the Sixty-fourth Congress and also in the Sixty-fifth.

Mr. BLANTON. Mr. Chairman, a point of order. I think the astute gentleman from Massachusetts is taking advantage of the steering committee and its bill when none of the steering committee is present to defend it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Of course, the point of order prevented me from getting an answer to my question, and I shall wait until the five-minute rule.

Mr. GARD. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, the fact that the committee has reported this measure for final passage by no means indicates that it is suitable for all kinds of fruits, vegetables, and truck for all the different sections of this country. They have inserted a five-eighths bushel hamper here as an amendment to the original bill. The committee report brings out a five-eighths bushel hamper for vegetables which is eminently correct and proper, but the same committee fails to place in its amended bill the seven-eighths bushel hamper. I represent a section of the country where I believe the finest tomatoes in the United States are grown—the Crystal Springs tomato. Mississippi is a great vegetable growing State. Those people throughout the State of Mississippi, and, I believe, the surrounding States—Alabama, Louisiana, Florida, Georgia, Tennessee, and Texas—are accustomed to a seven-eighths bushel hamper. The advantage of that is that they can get more of that size in the refrigerating cars, and with the least loss in space.

These vegetables raised away down in the South must be transported by railway trains to the distant markets of the East and the North. Those cars must be refrigerated, and in order to have it economically done the hampers must be of a size regulated so as to get the greatest number of hampers properly cooled inside the car. The trade in the South has found that the seven-eighths bushel hamper is best for another reason, and that is that the larger size, the bushel and the bushel and a half size, are too bulky, and the effect of the ice in the refrigeration of the cars prevents those large hampers from having cool air get into the center in order to protect the vegetables.

Mr. LAYTON and Mr. KNUTSON rose.

Mr. QUIN. Mr. Chairman, I will yield a little later on. All of the box factories that make these hampers for the farmers to put these vegetables in are making the sizes that the trade has agreed on. If this bill is passed here to cut out the seven-eighths hamper, it would work a great hardship upon the farmers in that section of the country. I have no objection to the bushel size, to the bushel and a half size, and the half-bushel size. We can make the seven-eighths bushel size a standard, just the same as we can make the five-eighths bushel size the standard. Over in New Jersey and in the territories close by the markets they want the five-eighths size instead of the seven-eighths size. I am for that. I want the particular section of the country to have what is most economical in point of shipment and what will be most advantageous not only to the producer but to the consumer. The bill provides, and the law regulates it, that the quantity that is in the box or hamper or container must be stamped on the outside of it, so that there can be no object whatever in the producer or the shipper attempting to deceive anybody. If he ships the produce in a five-eighths bushel hamper, the public knows that it is a five-eighths hamper instead of a six-eighths hamper; and if he ships it in a seven-eighths hamper, the public or the purchaser knows that it is a seven-eighths hamper instead of a bushel hamper.

So it is for a matter of absolute economy and protection to the grower, the producer of the vegetables, in order that his vegetables may arrive at the point of destination in a good and edible condition.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. QUIN. I will yield to my friend from Virginia.

Mr. MOORE of Virginia. May not this legislation lose sight of the fact that in shipping perishable vegetables from the gentleman's section the shippers often even place ice in the container? That may be a matter that has not but ought to receive consideration. In fact, I understand that frequently shipments are made, for instance, from Ponchatoula, La., or from Meridian, Miss., when it is necessary to place ice in conveyors containing vegetables or fruit.

Mr. QUIN. Why, certainly that is true.

Mr. MOORE of Virginia. That, it seems to me, is a practical matter to be taken into view in considering the expediency of the proposed standardization.

Mr. LAYTON. What kind of fruit would they pack ice with?

Mr. MOORE of Virginia. Why, a variety of vegetables—

Mr. QUIN. Strawberries.

Mr. LAYTON. Pack ice with strawberries?

Mr. MOORE of Virginia. They do pack ice with a variety of vegetables, and the gentleman only has to look over the reports of the Interstate Commerce Commission deciding cases with which that commission has dealt to see that I have stated a fact that nobody can dispute.

Mr. QUIN. Why, of course, that is true.

Mr. KNUTSON. Will the gentleman yield?

Mr. QUIN. I can not yield right now. I will yield to the gentleman after a little. I want to get the facts clear before the House. Now, I take it, this committee wants to do the right thing, but in this legislation they may work a great injury to a great industry in this country. Now, as the gentleman from Virginia in his statement to me pointed out, these vegetables must be iced. They can not say what size cars they shall be in. The Interstate Commerce Commission has the regulating of the size of the refrigerating cars. The producers and shippers ought to have the right to get as many of the vegetables in a car as the space will possible allow, and if you cut out the seven-eighths bushel hamper you are going to have a lot of waste space in the car and the ultimate consumer and the producer alike must be the loser. Now, as to the question of the icing of these vegetables, all are not familiar with that. These people who ship them, these truck growers who produce that truck, know that these cars must be iced at certain intervals along the railroads. For instance, in the city in which I live, McComb, is the icing point for all cars of vegetables that come between the city of New Orleans and McComb City, Miss. The McComb City ice factory refrigerates all of those cars. These vegetables then go on their way toward the east, north to another point along the road where they must be iced and refrigerated in order that the vegetables may be protected and wholesome, so as to be in good condition when they arrive at the point of destination in order that the ultimate consumer may have them in condition to place upon his table.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. I yield the gentleman five additional minutes.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. QUIN. For a short question, please, sir.

Mr. SUMNERS of Texas. The ice that is put in is put inside the cars. It is not put in the containers, is it?

Mr. QUIN. It is put in the cars, but many of these vegetables must have ice around them. It depends upon the time of year, the condition of the weather, and the distance where they are being shipped.

Mr. MOORE of Virginia. If I may again interrupt the gentleman, I know, as I have said, that very often the containers themselves require icing. It has been shown in the shipment of lettuce at certain seasons that it is necessary to ice, and that ice can only be applied in that way.

Mr. QUIN. Of course, it is necessary to be done. This Congress, by passing this bill, can work a great injury to an important industry and at the same time work a great injury upon the consuming public.

Mr. McKEOWN. Will the gentleman yield?

Mr. QUIN. In one minute. According to this bill you cut out the seven-eighths-bushel hamper, and in doing that you are working a great injury to a great vegetable-growing section not only to the State of Mississippi but to Louisiana, Arkansas, Tennessee, and Texas, to those principal vegetable-growing sections in the seventh congressional district of Mississippi that send vegetables right here to this city, to New York City, to Philadelphia, to Baltimore, to Chicago, and everywhere else. From one town in my district, Crystal Springs, Miss., as many as 75 cars a day are going out, and all the other towns in Copiah County and other counties in the district ship in large quantities truck and vegetables to the needy households in the North.

Mr. McKEOWN. Is there any provision made in this bill to take care of the producers who have already on hand for their shipments the size hampers the gentleman is talking about? What is the condition of a shipper in that respect?

Mr. QUIN. They ought to do it. The chairman tells me that they are trying to do it, but I do not think it is safeguarded. He claims that this bill is not to go into effect for 12 months, but the best way to protect the vegetable growers of this country is to kill this bill. We have got the proper size hampers. Do you know there are 49 different size hampers in use in all the different sections of the United States? Forty-nine of them, and why should this committee come along with all these varieties and say, You can not have the seven-eighths-bushel hamper? Can you explain that? They have allowed the five-eighths; and I say they are right in allowing it, but in the name of equity

and justice why can not they put in a provision for the seven-eighths-bushel hamper? There can not be any answer to that when the seven-eighths-bushel hamper takes more vegetables to the market from the South than all the other size hampers combined, and no one can be injured by it.

The public does not care anything about the size of the hamper. What the public wants is the greatest quantity of vegetables in the best possible condition and at the lowest price, and this bill you gentlemen are placing before this House will tend to injure the vegetables that are shipped from the South. It will make more expense in shipment, so that there will be less wholesome vegetables, and more vegetables in bad condition, at a higher price to the consumer in the northern and eastern cities and less profit to the truck grower than there ever have been before, and there can not be any other result if you cut out the seven-eighths hamper.

Mr. LAYTON. Will the gentleman yield for a moment?

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. May I have a few minutes more?

Mr. GARD. I yield five additional minutes to the gentleman.

Mr. LAYTON. I want to know if your logic does not imply that the Congress ought to abolish the Committee on Coinage, Weights, and Measures and do away with the standardization of everything in the country?

Mr. QUIN. Oh, no, my friend; I think that is a useful committee, indeed, and it has useful work, and that it has done good work before, except I believe it is mistaken in its ideas on this bill and in cutting out the seven-eighths bushel hamper.

Mr. McKENZIE. Will the gentleman yield for a brief question?

Mr. QUIN. Yes.

Mr. McKENZIE. I would like to ask the gentleman from Mississippi if he will explain these photographs in his time in connection with the bill?

Mr. QUIN. Oh, I have not the time. I have not looked at the photographs. I stated that there are 49 different sizes of containers, and I can not conceive why there was such a necessity to cut out the seven-eighths bushel hamper that the vegetables from the South are shipped in, and which I know the trade has decided is the best, because they have worked all these years for the special purpose of getting a container that would carry the vegetables in the best condition and at the least cost.

Mr. KNUTSON. I take it from the gentleman's remarks that he has made a deep study of the question of refrigeration. How much difference is there in the penetrating ability of cold air in its effect on a seven-eighths bushel container and a bushel container. Will the gentleman explain that to the committee?

Mr. QUIN. I could not give the scientific part of it, but these men who are engaged in the truck-growing business and shipping business, and have been engaged in it for 30 years, in Crystal Springs and Hazlehurst, Miss., know that the seven-eighths bushel hamper is the most practicable. They know the vegetables reach their destination in better condition when shipped in that size container. They know the bushel hamper does not allow cold air to get into the center to properly protect the vegetables there. They know that the five-eighths hamper is all right. They know that the seven-eighths bushel hamper is all right for that section—the South. And, as I stated, our friends in New Jersey know that the five-eighths bushel hamper is better for that country, because they do not have to ship the vegetables so far. But when you start a trainload of vegetables from Mississippi and run it clear up to New York City, you must consider the distance and the season of the year, and that the cold air must go to the center of the vegetables in order to keep that entire trainload of vegetables in good condition. And if those men who have their money invested in it—the thousands of people who make their livelihood in raising vegetables for shipment in interstate commerce—ask this Congress to keep the seven-eighths bushel hamper in force, it seems to me that appeal ought to fall on your ears in the right way.

Mr. GARD. I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, as is usually the case under the present régime, we are considering an important measure, departing from the present business customs of this Nation, with about 35 or 40 Members present on the floor, most of whom have no knowledge whatever concerning this bill. Not long ago we spent most of a whole day and part of another on a measure to standardize containers for flour and meal, and when we got through and sent the bill to the Senate it then did not contain a standard barrel of flour. And we have no standard barrel of flour by law at this time. And God knows what we will have when we get through with the consideration of this bill and pass it.

In that connection let me call your attention to the conditions under the present régime. Here yesterday, when we had up the urgent deficiency bill, carrying one item alone of \$300,000,000 for the railroads, when we got to a final vote on that bill let me show you what happened under the Republican régime. I quote from page 5925 of the RECORD:

The SPEAKER. The question is on the passage of the bill.

Now, remember, the bill carried one item alone of \$300,000,000.

Mr. BLANTON. On that I ask for a division.

The House divided; and there were—ayes 86, noes 0.

So the bill was passed.

Eighty-six Members were on the floor in the House when a bill of that character and importance to the country was passed, and you know about how few were here throughout the day during the general debate on the bill.

Let me call your attention to the preceding day, when we had a new measure before this House, also departing from the usual business custom, creating another bureau in a Government already overriden with bureaus. This question came up: When it was moved to suspend the rules and pass that bill and a second was demanded, the old Nestor of the House said that he would not agree to a second being ordered with only a handful of people present. When the Speaker asked if there was objection to a second being considered as ordered, he said:

Mr. CANNON. I do not know about that. Why should it be? There is just a handful of people here.

Mr. CAMPBELL of Kansas. We can get them here.

Mr. CANNON. I guess you better get them.

Mr. CAMPBELL of Kansas called for tellers, and it developed that only 31 Members were present, when Mr. CANNON said:

I think a quorum is not present. I make the point of no quorum.

And that bill was passed in a short time, with no consideration by the House, or practically none by the membership of the House proper.

Mr. McKENZIE. Will the gentleman yield?

Mr. BLANTON. Yes; I yield.

Mr. McKENZIE. Does not the gentleman think that that rather argues for efficiency?

Mr. BLANTON. It shows that on every single day we take up legislation and pass it the great bulk of the membership of this House knows practically nothing whatever on earth about it, and I am going to show that your committee here does not know much about this bill. Here is a ridiculous provision. I am not complaining about the Republican whip of the House, who is now smiling at me, because he is efficient, although he and I have a little difference once in a while. However, he is efficient. But here is a bill to close up all the manufacturing plants of this country except one. The one that manufactures this particular kind of container can keep on running and manufacturing them.

Now, the originals of these photographs here had to be manufactured, did they not, or they would not be photographs of them? They had to be the actual manufactured containers in order to photograph them before you could have all these pictures?

Mr. KELLER. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. KELLER. I wish to say that the manufacturers are all for this bill.

Mr. LAYTON. And the growers.

Mr. BLANTON. I am sure there is nobody against it at all. It is a bill that is going to pass unanimously here, because you do not know anything about it. Let me show you what a ridiculous idea there is in this bill. It is all right to have a standard and say that in a bushel there shall be so many cubic inches. That is all right. It is all right to say that in a half bushel there shall be so many cubic inches; that in a bushel and a half container there shall be so many cubic inches. That is standardizing; that is all right. But you do not stop there. You go on and say how the bottom of it shall be made and how the middle of it shall be made, and how the next part, up toward the top, shall be made, and how the top of it shall be made, and out of what material it shall be made, and the size thereof, corresponding to the particular kind of container manufactured in some particular manufactory of this country. That is where the vice comes in, and you provide a penalty of \$100 and 60 days in jail for anybody who shall violate the provisions of this bill.

Let me show you. Section 6, on page 13, provides—

That it shall be unlawful to manufacture for sale or shipment, sell, offer for sale, or ship, or to import or cause to be imported into the continental United States, hampers, round stave baskets, or splint baskets for fruits or vegetables, either filled or unfilled, or parts of such hampers, round stave baskets, or splint baskets, that do not comply with this act.

Then let me show you how ridiculous it is to provide a provision of this kind in a sensible law. I am reading section 7 now, on page 14, and I want you to notice it:

That any hamper, round-stave basket, or splint basket for fruits or vegetables, whether filled or unfilled—

That is, empty or full. All of you know what that means, whether a thing is empty or full. We are all empty now. [Laughter.]

Which shall be manufactured for sale or shipment, offered for sale, sold, shipped, or imported—

And now listen—

May be proceeded against in any district court of the United States within the district where the same shall be found.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for two minutes more.

Mr. GARD. I yield to the gentleman 10 additional minutes.

The CHAIRMAN. The gentleman is recognized for 10 minutes more.

Mr. BLANTON. I thank the gentleman from Ohio.

I am reading the language of the committee's bill, word for word. I have not placed any construction on it. I am reading the English language for what it usually means. What does it say? That if you find a container here, or a splint basket here, or one of these hampers—and if it is empty or full it does not make any difference—the United States district attorney in the district court of the United States may proceed against that basket or hamper or container in a Federal court, and proceed against the same wherever he may find them. That is ridiculous, even to my good friend from Kansas [Mr. TINCHER]. It provides for a suit in the Federal court by a Federal district attorney, with all the expenses incident thereto, against an empty container or an empty basket. Is that foolish or not?

A MEMBER. That is done every day.

Mr. BLANTON. Well, it is just about as sensible as everything else the Republican Party has proposed in this House since May 19, 1919, when they took charge. Who violates the law? The innocent little container, full or empty? Does it violate the law? Why, the man who manufactures it, the man who sells it, the man who uses it against the laws of standardization—he is the malefactor. You do not proceed against the poor little basket or the poor little empty hamper wherever you find it in a district court by a great big district attorney, with a great big United States marshal present.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. TINCHER. Is there anything in the law about proceeding against the violators of the law?

Mr. BLANTON. Yes. It says they shall be fined \$100 or put in jail 60 days.

Mr. TINCHER. There is another question I want to ask. Are the containers patented? Is it the custom to have these containers patented?

Mr. BLANTON. I feel reasonably sure that every single article delineated on these pictures is patented. That is what I am getting to.

Mr. LAYTON. The gentleman is mistaken about that.

Mr. BLANTON. I think the gentleman from Delaware perhaps knows more about this than I do. The gentleman is older than I am. I have such a high regard for him that I will take his word for it.

Mr. LAYTON. Have you a basket factory in your town?

Mr. BLANTON. No.

Mr. LAYTON. I assumed not.

Mr. BLANTON. But I assume that the man who had sense enough to design and manufacture a basket which a big Republican committee would bring in here with photographs and try to get it fixed upon as a standard would have sense enough to patent it and protect it.

Mr. TINCHER. If it is not patented, according to the gentleman's premise, there would not be anything to hinder anybody from manufacturing it?

Mr. BLANTON. No; if it is not patented. But if it is patented my argument is good, because it would affect a particular manufacturer. That article is subject to patent. If it is not patented, the fellow who designed it and originated it slept on his rights and lost valuable property rights probably. But what I am getting at is simply this: As far as we ought to go in standardizing containers for fruits and vegetables is to say that they shall be put up in a peck measure container, or in a half bushel or bushel container, or in a bushel and a half container, and that those particular measures shall contain so many cubic inches of fruit and vegetables each; and then, when we have gone that far, we have provided complete standardization of the

container for fruits and vegetables, and we ought not to go any further.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. BLANTON. Yes.

Mr. O'CONNOR. May it not be pertinent to inquire of the gentlemen who are informed whether or not an application has been made for a patent?

Mr. BLANTON. You can find that out from this committee.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield for a question?

Mr. BLANTON. Yes.

Mr. McKEOWN. What provision is made with reference to imported containers? Will they be barred by this bill?

Mr. BLANTON. Unless they are built according to the measurements provided for in this bill in a certain way at the bottom, in a certain way at the middle, and in a certain way at the top, and unless they conform to these particular measurements, bottom, middle, and top, according to this bill, they are absolutely thrown on the junk pile in this country. They are of no use whatever for fruit and vegetable shipments. You have got to do away with them. You have got either to change your machinery or do away with your machinery in all the various manufacturing in this country.

Mr. JUUL. Mr. Chairman, will the gentleman from Texas yield for a question?

Mr. BLANTON. I yield.

Mr. JUUL. Is it not a fact that many of these baskets that are now being manufactured are made in the sizes that this law provides for, so that they will not have to change their machinery, because they already manufacture those identical sizes and styles?

Mr. BLANTON. One thing I do know, and I am sure the gentleman from Delaware will agree with me—

Mr. LAYTON. I do not know about that. [Laughter.]

Mr. BLANTON. I take it for granted that he will, because I assume that he is a sensible man. Why should we not stop when we prescribe the content in stated cubic inches of a standardized container? The gentleman will admit surely that when you provide that it shall be built just exactly like this picture, that every bushel basket shall be just like that, then the gentleman must admit that every other basket that is not in that shape and form is absolutely thrown in the junk pile.

Mr. LAYTON. Will the gentleman allow me to answer him?

Mr. BLANTON. I will allow the gentleman to answer me.

Mr. LAYTON. I will say that the gentleman's mind is not comprehensive and does not take into account other elements which enter into this question.

Mr. BLANTON. It takes into account things that the gentleman never dreamed of.

Mr. LAYTON. Wait a moment. If you have got a bushel basket of so many cubic inches, you can manufacture containers of a thousand different shapes and forms, which would not be suitable for truckage, would not be suitable for packing in cars, refrigerator cars, or any other way. A standardization of the size and shape of the container is necessary.

Mr. BLANTON. There is just one redeeming feature about this bill, gentlemen, and that is that it provides that it shall not go into effect until a year from next November. Before this bill goes into effect and these defects develop, we will have an opportunity to change it. I will promise the gentleman that.

Mr. LAYTON. Who?

Mr. BLANTON. The gentleman knows what I mean when I say "we." I am referring to our distinguished leader, the gentleman from Missouri [Mr. CLARK] and the party he represents, of which I am a humble member. [Applause.]

Mr. MOORE of Virginia. May I interrupt the gentleman? He may be sure that it is not an abusive question, but merely for information.

Mr. BLANTON. Whenever we get our Republican friends cornered over there, all they can do is to try to abuse us.

Mr. MOORE of Virginia. What I should like to suggest—not quite in the way of a question, perhaps—is this, that here we have a bill that may very seriously affect the agricultural and trucking interests. I do not assume that to be the fact, but it may. Now, is it a wise thing to pass such a bill hastily, which was reported from the committee only on the 19th of April, and not even printed until the 20th and possibly not printed until last night, with a very small membership of the committee on it who are now present, and without the opportunity for Members to be here who may be interested, no notice having been received that the bill would come up to-day, and no opportunity being given us to communicate with our constituents, many of whom are certainly interested one way or the other?

Mr. BLANTON. We have had more time than usual, because the notice that we have of the consideration of these freak bills usually consists of the production of a hip-pocket rule by the gentleman from Kansas [Mr. CAMPBELL]. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. I yield five minutes to the gentleman from Missouri [Mr. CLARK]. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker, I think it is barely possible that I voted for the bill to authorize the standardization of things, but I was a good deal opposed to it at the time, and I interrogated the men who had it in charge, and they assured the House over and over that this authority to standardize everything did not mean anything except that they would establish an official yardstick, for instance, and put it up here in the Treasury, so that if all the other yardsticks on earth were destroyed by some calamity, you could go up there and get one, and the same way as to foot measures and quart measures and gallon measures, and so forth.

Now, this Committee on Coinage, Weights, and Measures and the department together have been usurping powers under that bill from the day it was passed until now. There is no question in the world about that. For instance, I had a set-to with Uncle Jimmie Wilson, Secretary of Agriculture, a man for whom I have always had very profound respect and great affection. It is sort of out of date to talk about it now, but the second largest winery in the world was in my district, and there is no place on earth where grapes grow in greater profusion than they do on the banks of the Missouri River. That is how that whole country came to be settled up by the Germans when they came in here after the revolution of 1848.

One day I got a clipping sent by that big winery. There are several smaller ones, but the big one sent to me a clipping stating that the Agricultural Department was going to establish a standard for wine, that they were going to mark it "pure wine" when it did not have any sugar and water added, and all the rest they were going to mark "adulterated." Now, it happens that there is only one small piece of land on the habitable globe, as far as anybody knows, where grapes grow with enough sugar in them so that you do not have to add sugar and water, and that is in a comparatively small part of California.

All the rest of our folks, in Missouri and on this side of the mountains and in most parts of California, have to add sugar and water to their grape juice. So I wrote a nice letter to Secretary Wilson and inclosed this clipping, asking him if he was going to try to do any such fool thing as that, and, if so, where he got any authority to do it? Well, I received a great, long letter signed by him, three pages, letter-paper size, explaining this, that, and the other, and finally giving me a good deal of a scolding for having the impudence to call in question the wisdom of the Department of Agriculture. So the next day I went down there and I walked into his room with this letter in my hand, and he began to grin and said, "Don't you quarrel with me about that letter. I never wrote it. I signed it." I said, "Who did write it?" He said, "Dr. Wiley." I said, "Who is Dr. Wiley?" He said, "He is the chief chemist." I said, "Where is he?" And he told me, and I went over there and Wiley and I had a fuss, and I explained to him that there was no earthly sense in what he was doing, and that in addition to that it was a great outrage. Well, finally I beat him out to change it from "pure wine" and "adulterated wine" to "natural wine" and "artificial wine." That was nearly as bad as the other. So one of the California brethren introduced a bill here to that effect, and I got hold of him and clubbed his bill to death. Now, that was clearly a usurpation of authority under this standardizing act, and so is this bill. The gentleman from Texas [Mr. BLANTON] was exactly right, except that he did not go far enough, because he did not know how far to go. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GARD. I yield five minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. Sisson. Mr. Chairman, my objection to this bill is that you not only fix the size and shape of your container, which may be of considerable convenience in shipping, but you also prescribe the thickness of the staves. Down in my country we have a great deal of timber which we prepare to make these baskets, or the constituent parts of the baskets; for instance, if you want a basket like the hoop basket, they are put up in long strips, 100 in a bundle. They are sent to the place where these things are assembled. Therefore it is a cheap way to ship them in that manner. The trouble with the bill is that you prescribe the thickness of the staves or the thickness of the basket. Every man who manufactures this timber has bought his machinery

and it is fitted to cut rapidly and quickly the constituent parts of these containers.

If I could write your bill and I was a manufacturer of the machinery, or if I had a large number of establishments already at work and I could write your bill so as to conform directly to that particular machinery that I use, or if I was manufacturing the machinery that goes into these factories that manufacture the timber for the baskets, I do not know just what I would give Congress to write a bill so framed for a container in design, thickness, and shape as to conform to the particular machinery I was using in manufacturing. If I had my place established I do not know what I would give if you would give me a monopoly until they were able to establish their plants to make these containers. Just how many thousand or million dollars' worth of machinery you are virtually compelling them to discard in making provision for the cubical contents of the container and going into specific descriptions as to the thickness of the staves and length of the staves, and so on, I do not know.

You gentlemen are getting into pretty deep water, because I do not believe that any member of this committee would be guilty, knowingly, of passing a bill to have the stave of a certain thickness or shape because it was made by a certain character of machinery. But when you go this much into the details you may be making some people rich and you may be pauperizing others.

In other words, if I had a certain number of ships to sell, if I could put a bill through Congress saying that you should go into the market and buy ships of a certain type, of a certain beam, of certain depth, and of certain description, perhaps I would have the only ships in the world of that description.

A gentleman told me about a matter that happened some years ago where they were erecting a building of a certain type and wanted certain attachments put into the building. The bill that was passed described the kind of attachments they wanted. The result was that he was the only fellow in the world that manufactured attachments of that sort and type.

Mr. BLAND of Missouri. Will the gentleman yield?

Mr. Sisson. Yes.

Mr. BLAND of Missouri. I notice by section 7 it requires the destruction of all round stave baskets, splint baskets, and hampers that do not conform with the provisions of this bill. That would entail a destruction of considerable property, would it not?

Mr. Sisson. Yes; you would be amazed to go into the warehouses and see them filled with stuff of which not a single stick could be used in the making of one of these standard baskets.

That is my objection to this bill. I have no objection to your making standard sizes, and, by the way, you have arbitrarily in section 1, standardizing the sizes, eliminated the seven-eighths of a bushel, which is one of the standards. You go from a half a bushel and five-eighths of a bushel to a bushel, and leave out the seven-eighths of a bushel. That is the hamper used almost exclusively for light vegetables down in my country. Go into the district of the gentleman from Mississippi [Mr. QUIN], which is the largest vegetable district in that country, and see where they are shipping out vegetables not only by the carload but by the trainload. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GARD. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, I used to think that there were some lawyers in the House. If there are any left that have any respect for the Constitution or the right of the legislature to delegate powers, I respectfully refer that lawyer to section 6, now changed to section 5, on page 12 of the bill, which reads as follows:

SEC. 6. That in order to provide for the more economical use of space in packing or transportation, or for the greater conservation of material or labor in manufacture or handling, or of the contents in course of shipment, of hampers, round stave baskets, and splint baskets for fruits or vegetables, or apple boxes, or parts thereof—

In other words, you give the purposes for which you delegate this legislative power—

the Secretary of Agriculture, whenever he finds necessary, may, in his regulations, prescribe specifications with respect to the material used, or the dimensions thereof, for such hampers, round stave baskets, splint baskets, or apple boxes, or parts thereof in addition to, differing from, or superseding those set forth in sections 1, 2, 3, or 4 of this act, but not departing from the respective capacities therein prescribed.

If there is any lawyer here who has any respect for the Constitution let him stand up here and tell me if we have any possible power to enact a statute like that. What does it do? It goes on in this bill and states what the dimension and number of the splints shall be, and then it says that the Secretary of

Agriculture, if he wants to, can absolutely substitute another standard, another dimension, on giving six months' notice. These standards are to be fixed by him as he deems necessary; not if he finds certain facts exist then a certain standard shall obtain. We can delegate authority to the Secretary of Agriculture, or any administrative officer, to ascertain certain facts, and in the event that he finds a certain contingency exists or in the event of a certain contingency, then a certain provision shall be the law, but we can not authorize him, if he deems it necessary, to repeal our own standard. Truly this section "is a thing of beauty and a joy forever."

What else do you do? You not only give him the right to fix the dimensions of the hamper but he can fix the kind of material.

In other words, he may say that we can not make these hampers out of the material that we have in my section of the country and compel us to buy boxes made of another kind of wood from another part of the United States. He can say that these containers shall be made of paper, if he wants to, or that they shall be made of spruce, if he wants to, or that they shall be made of cedar, and he may do that without the consent of Congress.

Mr. Chairman, I knew, and it is beginning to dawn on the country, that the Republicans, who are in control of this Congress, are absolutely the greatest aggregation of incompetents ever gathered beneath the dome of the Capitol, but I never thought that they would absolutely admit it themselves and give an administration officer the right to fix the kind of material out of which they shall be constructed and the size of the fruit baskets and hampers to be used. If you want to violate the spirit of the Constitution, if you want, under the subterfuge of a standard of weights and measures, to undertake to pass a thing like this, then, for God's sake, save your face, at least. If you do not know what it ought to be test it out and change it yourselves, but do not leave it to a Secretary of Agriculture, who might not know anything about it at all, as we have had some in the past who would not know a hamper from a fruit basket. What does the chairman of the committee understand in law is a hamper?

Mr. VESTAL. Mr. Chairman, that is a very foolish question.

Mr. WINGO. If it is a foolish question, then the gentleman may expose my foolishness. Tell me what the courts have held a hamper is. Have the courts held what a hamper is?

Mr. VESTAL. Probably not.

Mr. WINGO. No. But you are writing a criminal statute, using the word, and you can not tell what it is. The gentleman does not know anything about the facts or the law. He says that it is a foolish question. It is a foolish question, because you have a foolish bill, brought out by a foolish committee, headed by a foolish chairman, who does not know any more about a hamper than he seems to know about the Constitution. [Laughter.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. VESTAL. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I do not intend to discuss the merits of the bill, but will confine my remarks in the main to sections 6 and 7, which are the penal provisions of the act. I do want to say in a preliminary way that the argument of the gentleman from Texas [Mr. BLANTON] is based entirely upon the proposition that these baskets are or might be patented. Of course, they are not patented, and if they are not patented now they can not be patented hereafter, so that that argument falls entirely to the ground.

The purpose of this bill is to prevent the use in commerce and shipments in commerce of baskets which do not conform to the standards set up in the bill. That prohibition is to be enforced in two ways: First, it is to be enforced by a penalty which is, in effect, upon the person who offers to sell articles in such a basket in commerce or offers such baskets for shipment in commerce. That is a penalty against the person, the penalty provided for in section 6. But the punishment of the person who offers these baskets for shipment in commerce does not do away with the baskets themselves. Section 7 proposes to outlaw the basket itself and provides the machinery whereby the outlawed baskets can be confiscated by the Government and destroyed. There is nothing unusual in such a proceeding. There are a number of United States statutes which declare articles or commodities outlawed, so far as they are used in interstate commerce, and those laws provide for the confiscation and destruction of the articles themselves. For instance, suppose an article which is misbranded is offered for shipment in interstate commerce. The pure-food act provides a method whereby the person who offers that article may be punished, and also a means whereby the article itself may be attached by a process of libel,

and after judgment destroyed. That is the whole purpose of section 7, which my good friend from Texas [Mr. BLANTON] so violently attacks. I am surprised that he should attack it. He has been the judge of a district court, I am informed, down in his native State. He ought to know, but he does not know, that that sort of process is a very common thing under Federal jurisdiction and that the purpose of it is to destroy the thing which the law outlaws. There is nothing new in it at all. It would be an entirely futile thing if all you could do under this act would be to punish the person who offered the baskets for shipment in commerce, but must still permit the baskets themselves to go freely in commerce. The only real remedy you have, the remedy that is effective, is not the remedy which punishes the individual who offers the basket for shipment, but it is the remedy which outlaws the basket itself in commerce and provides the method whereby the basket may be confiscated and destroyed.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. VESTAL. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, it has been a long time since the members on the Democratic side of the aisle have been so worked up over a piece of legislation as they are over this, but when I reflect upon the fact that most of my good friends on the Democratic side represent that section of the country from which we get our early fruits and vegetables, and when I reflect further upon the fact that they have for years been selling us seven-eighths of a bushel for a bushel, I do not blame them for being worked up, because the passage of this bill is going to cut into their revenues quite a bit.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. No; I can not yield just now. All kinds of excuses have been given by gentlemen on the other side for opposing this legislation.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. No; I can not yield?

Mr. JUUL. Can not the gentleman yield for half a second?

Mr. KNUTSON. The expert on refrigeration from Mississippi [Mr. QUIN] says that you can cool and keep cool a seven-eighths bushel hamper, but that you can not cool and keep cool a bushel hamper, and that is the reason he opposes it. Another opposes it because it is unconstitutional, and so we have it all along down the line, every Member on that side who has spoken having a different excuse. I want to commend the Democratic Members from the Southern States for the fidelity with which they are representing their constituents' interests on the floor this afternoon.

Mr. BLAND of Missouri. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I am sorry, but I can not yield. They have certainly displayed a zeal which is worthy of a better cause.

It is unfortunate that they are so situated geographically that they are compelled to get up on the floor of this House and condone and defend fraud and deceit.

Mr. QUIN. Mr. Speaker, I make the point of order that there is no quorum present. If the gentleman is going to talk this way, there should be a quorum to hear him, and I make the point of order of no quorum.

Mr. KNUTSON. I trust my friend will not do that. I paid very respectful attention to the gentleman while he talked, and I trust he will not press his point of no quorum, because I have only a few minutes remaining.

Mr. QUIN. I think there ought to be a quorum here.

Mr. KNUTSON. Mr. Chairman, I suggest the gentleman can not take me off my feet.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-eight gentlemen are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Brumbaugh	Darrow	Freeman
Almon	Burke	Davey	Fuller, Ill.
Andrews, Md.	Campbell, Kans.	Denison	Fuller, Mass.
Anthony	Campbell, Pa.	Dent	Gallagher
Baer	Cantrill	Dewalt	Gandy
Bankhead	Caraway	Dominick	Godwin, N. C.
Barkley	Carew	Doelling	Goldfogle
Bell	Clark, Fla.	Doughton	Goodall
Benson	Collier	Drane	Goodwin, Ark.
Black	Copley	Eagle	Gould
Blackmon	Costello	Edmonds	Graham, Pa.
Blanton	Crago	Ellsworth	Greene, Vt.
Boies	Cramton	Elston	Hamill
Booher	Cullen	Evans, Nev.	Hamilton
Brand	Currie, Mich.	Ferris	Harrison
Brinson	Curry, Calif.	Fess	Hayden

Heflin	McKenzie	Reavis	Smithwick
Hicks	McKinley	Reber	Snyder
Hill	McLane	Reed, N. Y.	Steagall
Hoey	McPherson	Riddick	Stedman
Hudspeth	Madden	Riordan	Steenerson
Hulings	Mann, Ill.	Rogers	Stoll
Igoe	Mansfield	Rose	Strong, Kans.
James	Mason	Rowan	Strong, Pa.
Johnson, Wash.	Mays	Rubey	Sullivan
Kelly, Pa.	Moon	Rucker	Swope
Kendall	Mooney	Sabath	Tague
Kennedy, Iowa	Moore, Ind.	Sanford	Taylor, Tenn.
Kennedy, R. I.	Morin	Schall	Temple
Kettner	Newton, Minn.	Scott	Towner,
Kiess	Newton, Mo.	Scully	Vare
Kitchin	Nolan	Sears	Voigt
Kreider	O'Connell	Sells	Ward
Langley	Paige	Sherwood	Welty
Leibach	Phelan	Shreve	Williams
Leshner	Porter	Sims	Willson, Pa.
Lufkin	Ramsey	Small	Woodward
Luhning	Ramseyer	Smith, Mich.	Zihlman
McArthur	Rayburn	Smith, N. Y.	

The committee rose; and the Speaker having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 12350, finding itself without a quorum, under the rule he caused the roll to be called, whereupon 272 Members answered to their names, and he reported herewith the list of absentees to be recorded in the Journal.

The SPEAKER. The committee will resume its session.

The CHAIRMAN. The gentleman from Minnesota is recognized for three minutes.

Mr. KNUTSON. Mr. Chairman, when I was taken off my feet by the point of no quorum made by the gentleman from Mississippi [Mr. QUIN], I was about to explain that the position taken by the Democratic side is not justified. As a matter of fact, when the shippers in the Southern States send a container of early fruit or vegetables to the North which holds but seven-eighths of a bushel they only get paid for seven-eighths of a bushel. It is the commission merchant, the middle man, who is able to make a bushel out of it. So there is absolutely no justification for the almost united opposition on the Democratic side against this legislation. We are trying by this bill to standardize the containers used in this country—that is, the containers for vegetables and fruits—so that the American people will be given full measure and a square deal. We contend that by doing that we will reduce the cost of living by just that much, and thereby enable the Democrats to make good in part their pledge made before the election of 1912 to reduce the high cost of living, something that they have not made any effort to do by themselves. [Applause on the Republican side.] Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman has consumed his time.

Mr. VESTAL. How much time have I remaining?

The CHAIRMAN. Fourteen minutes.

Mr. VESTAL. I yield five minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I doubt the wisdom of some of the provisions of this bill, and I doubt the right of the Congress to enact some of them. They have been referred to, so I will not take time to discuss them. I mean the provisions relating to the material out of which baskets shall be made, the number of staves, the thickness of them, and so forth. I doubt the wisdom of giving any officer of the Government authority to determine those matters; but I wish to speak of another matter. I find in section 4, the new section 4, page 11, that the Secretary of Agriculture shall in his regulations prescribe such tolerances as he may find necessary to allow in the capacities and specifications for hampers, and so forth. I think it is unwise to require that the Secretary of Agriculture shall in advance prescribe the variations and tolerances which shall be permitted. The Committee on Agriculture some time ago was considering what is known as the "slack-filled container bill." The committee found that in many lines of business and as to many commodities, containers are only partially filled by the manufacturer or dealer whose business it is to fill them, and thereby fraud was practiced on the purchaser. The bill contains a proviso to the effect that reasonable variations and tolerances "may" be established. Dealers and manufacturers who appeared before the committee, every one, insisted that the word "may" should be changed to "shall," requiring that the Secretary of Agriculture in advance of his efforts to enforce the act must establish variations and tolerances. The same principle is involved in the bill before us; this bill says the Secretary of Agriculture shall prescribe variations and tolerances. What is the effect of that? Just as soon as variations and tolerances are established containers with a

smaller capacity become standard. Every container would be made just as small as the law will permit, just as small as the Secretary will permit. That will be uniformly the practice. Whereas if the Secretary is permitted in his discretion to establish the variations and tolerances he may establish them or permit them as to some containers and not as to others, as he finds it wise to do so in the administration of the law. If the administration of the law is in the hands of a careful, wise man—that is the way it seemed to our committee, and we gave careful consideration to it—it is best that he should not be required in advance to determine and announce the character and extent of the tolerance permitted to a manufacturer; the Secretary should be permitted to consider each case as it arises. If it is found that there is a wide variation and it is evidently intentional it may be held to be a violation of the law, and if it is a small variation and there is no evidence of intention to violate the law, it can be overlooked. And, in the judgment of our committee, if we should make it mandatory on the Secretary of Agriculture to establish variations and tolerances, it would be necessary for him as to every one of these things to establish his variations, publish them, and have them known before he could enter upon the enforcement of the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VESTAL. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, I believe it would be unfortunate if gentlemen on this side of the aisle should take an antagonistic attitude to the principle of this bill. There can be no legislation of this character which may be said to be in the interest of the producer or of the consumer alone. It must be of general interest or there is no interest at all. Now, those of us who live in producing districts and whose commodities must go far afield to find final consumption know nothing more important than to have our commodities standardized as to quality and container, when they go in containers, so that they may have a commercial status at the point of first concentration. There is not any question about that. In order to have economic distribution of agricultural commodities it must be possible to have them so standardized as to quality and container that the man who lives far away from the center of production and the man who lives at the point of production may discuss them and trade in them and each man have the identical mental picture that the other man has with regard to the thing that is being traded in.

Now, I think there are some provisions in this bill that ought not to be here, and I believe that we ought not to vote for the bill without amendment unless the chairman of the committee can explain to our satisfaction why it has been deemed essential to determine in advance the number of splits in the basket and the general detail of its construction.

I do believe, however, that the general shape of the basket is important in standardization. It is important, I believe, in the transportation of these commodities. And I take it for granted that the chairman of this committee and his associates upon the committee have determined in advance of bringing in this bill, by consultations with transportation men and producers, the kind of basket that will economize the transportation facilities of this country. Now, that is all there is to it. And I believe, gentlemen, we ought to approach the consideration of this bill in a kindly attitude toward its purpose, and endeavor if possible in good spirit among ourselves to so amend the bill that the objectionable features will be eliminated.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. SUMNERS of Texas. Yes.

Mr. MOORE of Virginia. I take it for granted that the gentleman agrees with me that there can not be any possible sectional or party question in the consideration of a matter of this character and that nobody on this side of the House for a minute dreams of putting the question in any such attitude?

Mr. SUMNERS of Texas. I do not imagine any man will be so foolish as to have such an attitude. There is nothing partisan or sectional in the bill. If we have a container that gives us a certain capacity, and that container is so fashioned that it brings a penalty upon the trade, that penalty is divided in most instances between production and consumption. And I do think that when we come to legislate with regard to these matters our purpose should be to legislate for honest commerce. [Applause.] And these variations in containers, gentlemen, not only make it difficult for men who live far apart to trade in these commodities, but they put a premium upon dishonesty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VESTAL. Mr. Chairman, I desire to say that all the fruit growers, so far as the committee knows anything about them, are absolutely in favor of this legislation. The manufacturers of baskets—

Mr. OSBORNE. Will the gentleman allow a question?

Mr. VESTAL. I have only four minutes.

Mr. OSBORNE. I know; but I have a very important question bearing upon what the gentleman has just said.

Mr. VESTAL. All right.

Mr. OSBORNE. I want to ask the gentleman if in the consideration of this bill the western-coast producers of fruits were heard?

Mr. VESTAL. They were heard before the committee through their representatives.

Mr. OSBORNE. I would like to ask further as to these restrictions upon containers. For instance, in my State we produce 50,000 carloads of oranges and grapefruit a year. Would that affect the containers that they already use and where they have millions of dollars invested in plants for the making of the containers?

Mr. VESTAL. I think not. We only seek by this bill to standardize hampers, round stave baskets, and splint baskets. It does not have anything to do with boxes or crates of any kind or character.

I wanted to say that no manufacturer—and they were represented before the committee—was opposed to this bill. It merely cuts out a lot of sizes, but it does not change the machinery of any factory. It simply reduces the number of sizes.

And I want to say in answer to the gentleman from Mississippi [Mr. QUIN] that I understand he is interested in the seven-eighths bushel, of course, because people in his community are using the seven-eighths bushel, and that the evidence before the committee is to the effect that in practically every State of the Union where tomatoes were grown they use the five-eighths bushel hamper. Now, the reason the committee deemed it wise to cut out the seven-eighths bushel hamper was the fact that it is so nearly a bushel. The whole purpose of this bill is to try to bring about honest commerce, so that there will be no discrimination and that the public will not be discriminated against. The figures show conclusively that this is being done all over the country to-day, and, as I said in the beginning of the argument on this bill, one circumstance illustrates the whole thing. A gentleman from Baltimore testified before the committee, and was seeking to have the 14-quart basket standardized—and this bill cuts out the 14-quart basket and makes it a 16-quart basket—and we asked him why, and he said, "Because we get from the consumer the same amount of money for 14 quarts as we get for 16 quarts."

Mr. KNUTSON. Will the gentleman yield?

Mr. VESTAL. I will.

Mr. KNUTSON. Is not that just exactly the intention of this bill, namely, to prevent such things as that?

Mr. VESTAL. That is the purpose of the bill, of course.

Mr. KNUTSON. Can the gentleman justify any opposition to this bill?

The CHAIRMAN. The time of the gentleman has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the standard hampers for fruits and vegetables shall be 1-peck hamper, one-half bushel hamper, 1-bushel hamper, and 1½-bushel hamper, which, respectively, shall be of the capacity and conform to the specifications set forth in this section.

(a) The standard 1-peck hamper shall contain 537.6 cubic inches and conform to the following specifications: The inside diameter between staves at the upper edge of the top inside hoop shall be 10½ inches; the inside diameter of the bottom shall be 6½ inches; the inside length of the staves shall be 9½ inches; the inside top hoop shall be one-tenth of an inch thick and set with its upper edge even with the upper ends of the staves; each stave shall be not less than one-tenth of an inch thick and 10½ inches long; and the bottom piece shall be one-half of an inch thick.

(b) The standard one-half bushel hamper shall contain 1,075.21 cubic inches and conform to the following specifications: The inside diameter between staves at the upper edge of the top inside hoop shall be 13 inches; the inside diameter of the bottom shall be 8½ inches; the inside length of the staves shall be 12 inches; the inside top hoop shall be one-ninth of an inch thick and set with its upper edge even with the upper ends of the staves; each stave shall be not less than one-tenth of an inch thick and 12½ inches long; and the bottom piece shall be five-eighths of an inch thick.

Mr. GARD. Mr. Chairman, are we reading this bill for amendment by sections?

The CHAIRMAN. By sections.

Mr. GARD. I would suggest to the gentleman who has charge of the bill, representing the committee, that it might make for expedition and better work in the passage of the bill if we were to consider amendments as they would come by these lettered subdivisions. For instance, at the end of paragraph (a), that part of it, we can consider amendments to that, and then in the same way with the subdivisions following. If you wait until the end of the whole section, you will have a great accumulation of things, and it is difficult to understand them; so that if the gentleman will ask unanimous consent to consider amendments at the end of any subsection we would get along better.

Mr. VESTAL. I think in the interest of time it will be better to consider the bill by sections instead of by paragraphs.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(c) The standard 1-bushel hamper shall contain 2,150.42 cubic inches and conform to the following specifications: The inside diameter between staves at the upper edge of the top inside hoop shall be 15½ inches; the inside diameter of the bottom shall be 9 inches; the inside length of the staves to the upper edge of the top inside hoop shall be 19 inches; the inside hoop shall be one-eighth of an inch thick and set with its upper edge three-eighths of an inch below the upper ends of the staves; each stave shall be not less than one-eighth of an inch thick and 20 inches long; and the bottom piece shall be five-eighths of an inch thick.

(d) The standard 1½-bushel hamper shall contain 3,225.63 cubic inches and conform to either of the following specifications:

(1) The inside diameter between staves at the upper edge of the top inside hoop shall be 16½ inches; the inside diameter of the bottom shall be 9 inches; the inside length of the staves to the upper edge of the top inside hoop shall be 26 inches; the inside top hoop shall be one-eighth of an inch thick and set with its upper edge three-eighths of an inch below the upper ends of the staves; each stave shall be not less than one-sixth of an inch thick and 27 inches long; and the bottom piece shall be five-eighths of an inch thick.

(2) The inside diameter between staves at the upper edge of the top inside hoop shall be 16½ inches; the inside diameter of the bottom shall be 10 inches; the inside length of the staves to the upper edge of the top inside hoop shall be 23 inches; the inside top hoop shall be one-eighth of an inch thick and set with its upper edge three-eighths of an inch below the upper ends of the staves; each stave shall be not less than one-eighth of an inch thick and 24 inches long; and the bottom piece shall be five-eighths of an inch thick.

With committee amendments, as follows:

Page 1, line 4, after the word "be," insert the word "the."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 1, line 4, after the word "hamper," insert the words "five-eighths bushel hamper."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 1, after line 7, insert:

"For the purposes of this act a quart standard dry measure has a capacity of 67½ cubic inches."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. WINGO. Mr. Chairman, just at the moment I have forgotten the dry-measure table. Will my genial friend from Indiana [Mr. VESTAL], the chairman of the committee, tell me what is a standard dry-measure quart now?

Mr. BROOKS of Illinois. It is one-fourth of a gallon, which is 268.8 cubic inches, which would be 67.2 cubic inches.

Mr. WINGO. How much do you change it from this?

Mr. BROOKS of Illinois. It does not change it.

Mr. WINGO. Then what is the object of the amendment? Is it to state the existing standard?

Mr. VESTAL. Yes.

Mr. WINGO. A quart is already standardized, is it not?

Mr. McLAUGHLIN of Michigan. It is not uniformly used all over the country.

Mr. WINGO. In other words, you have not any criminal penalty for not using the standard, and the idea is to put the standard in here? Now, if a man happens to use a quart that is 67½ cubic inches, that would give the consumer an advantage, but under this bill he would be a criminal unless you would let the Secretary of Agriculture fix the differential. Is not that true? Nobody seems to know, and that is generally true, I find, about all these socialistic bills.

Mr. McLAUGHLIN of Michigan. If the gentleman asks me, I am not in charge of the bill, nor am I a member of the committee.

Mr. WINGO. I did not refer to the gentleman. I said "socialistic bills." I did not intend that as an assault upon my friend from Michigan. But this bill is typical of socialism. This bill "dampfoolishness gone to seed." You nowhere penalize a man and shut out of interstate commerce a basket that is not fully filled. You can go down here and buy articles in that way now, and if you standardize the container, unless you punish them for having a false measurement printed on it or unless you punish them for having it deceptively filled or packed, you are not going to protect the consumer. I am perfectly willing to punish the man who uses deceptive containers and make it unlawful to transport deceptive containers in interstate commerce, but under the Constitution we can only undertake to fix weights and measures. We can not determine the material. If we can provide the kind of material that must be used, we can say what color it shall be. We can not say how many staves there shall be. Under the provisions of this bill it absolutely puts out of business the basket that is used by the greatest peach

orchard in the world. Do the Members of the House think that is necessary in order to protect the public?

Mr. KELLER. What size is that basket?

Mr. WINGO. I could not give it to you according to the description in this bill, because I can not find any two men who can give the same explanation of the sizes or measures used in the bill.

Mr. KELLER. What is the difference?

Mr. WINGO. In the first place, it has one less stave in it. Again, I know they use a seven-eighths-inch bottom in the basket. You provide here for a five-eighths-inch bottom. If a man uses the seven-eighths-inch bottom, he is a criminal. It is absurd to limit the thickness of the bottom board to five-eighths of an inch. The members of the committee may have had experts before them who know what a hamper is. Maybe some one knows what a "resaw" is, and it may be that some one knows how these bottoms are resawed. I challenge the gentleman to take a thousand of these bottoms that are resawed and find them anywhere near uniform. He will not find 30 per cent of them that are of the same thickness. You can not do it. When I was a boy I had some experience in a mill where that kind of work was turned out. If the board is wet it may "gum," and if it strikes a knot, that will make it wobble, and one side will be thick and the other side will be thin. One side may be five-eighths of an inch thick, and the other side three-eighths of an inch. Yet if a man happens to use the same bottom in a half-bushel basket that he uses in that 1 peck, he has committed a criminal offense.

It shows that you are not doing what you say you do. I am willing to help you to punish fraud, but this is to do what? It is to build up another great mass of inspectors who will go nosing around throughout the country. I am sick and tired, for one, of authorizing people to go out as Federal officials and nose about spying on citizens. I want to take the hand of the Federal Government off of business. Let us define and fix a penalty for crime. Let us fix a standard against fraud, but for God's sake do not go and say that if a farmer happens to use an old basket and it has one splint more than the standard splint basket, or if he has a basket where the bottom has been destroyed or damaged and he picks up a piece of pine wood to repair it and that piece is too thick, although it makes the basket stronger, he is thereby made a criminal. This bill, I repeat, is "dampfoolishness gone to seed." [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

I call attention to the fact that this proposed committee amendment provides that a quart measure shall contain so many cubic inches, and there it stops. It does not provide how the quart measure shall be built, what its shape shall be, or what kind of material shall go into it. But later on in the bill when you get up to the peck measure you not only provide how many cubic inches it shall contain, but then you go on and provide how it shall be made, what shall go into it, and how it shall look after it is made. And so with the other larger containers provided for in the bill, up to the bushel and the bushel and a half. If it is necessary to standardize containers by putting in all of these specifications named, then the quart container is just as much a container as the peck container, or the half bushel, or the bushel, or the bushel and a half. If it is necessary to provide the shape, and how it shall look, and the dimensions at the bottom and the middle and the top, and the material, and how much of it, for the peck and half bushel, and the bushel and the bushel and a half, why is it not equally necessary to provide it for the quart container? This is just like that ridiculous resolution that you Republican colleagues brought in here the other day, on which you had two days' debate, that you called a peace resolution, to provide for peace with Germany, and forgot all about the state of war with the royal Government of Austria-Hungary. The resolution left them out entirely, left us up in the air in a state of war with the dual Government of Austria-Hungary, and declared by the House resolution that we had ceased to be at war with Germany. Why can not our friends on the other side of the aisle be consistent in these measures? Why can they not make them complete, sensible, and symmetrical? Why do they not make the same provisions with reference to the quart container that they do as to the larger ones? If it is necessary as to the others, it is necessary as to the quart measure. I am in favor of standard measures to prevent fraud, but I take the position that in providing a standard container for fruits and vegetables, when you provide that such container shall contain so many specified cubic inches you have gone just as far as is necessary in the law, and all the balance is just monkey business that you have brought in here

on this floor—just one more piece of typical Republican chicken-feed legislation. [Applause.]

The CHAIRMAN. The question is on the adoption of the committee amendment.

Mr. GARD. I desire to speak in favor of the amendment. I think the amendment is founded on some legislation which appears in the act of August 31, 1916, wherein the same identical phraseology is used. I presume it was the intent of the committee who had this in charge to designate what a dry-quart standard should be in order that the pecks and the half pecks and the other measures should be determined by some standard. So the dry quart is established in this bill as the measuring standard, and in the act of August 31, 1916, we provide for dry half pints, dry pints, and dry quarts, and the same language is used concerning quarts as is used here, in that subdivision (b) of section 1 provides that the dry quart shall contain 67.2 cubic inches, which is the same language as is used here. It would seem to me that in writing this bill, providing what shall be the contents of certain measures, when we make the quart the unit of measurement it is well to define the contents of the quart, and that is all that is attempted to be done here.

The CHAIRMAN. The question is upon the adoption of the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3 insert a new subsection as follows: "(c) The standard five-eighths-bushel hamper shall contain 1,344 cubic inches and conform to the following specifications: The inside diameter between staves at the upper edge of the top inside hoop shall be 14½ inches; the inside diameter of the bottom shall be 9 inches; the inside length of the staves shall be 12½ inches; the inside top hoop shall be one-eighth of an inch thick and set with its upper edge even with the upper ends of the staves; each stave shall be not less than one-ninth of an inch long and 13½ inches long; and the bottom piece shall be five-eighths of an inch thick."

The CHAIRMAN. The question is upon the adoption of the committee amendment.

Mr. QUIN. Mr. Chairman, I move to amend by striking out all after the first two lines of subsection (c).

The CHAIRMAN. It is not in the bill. That is the proposed amendment.

Mr. QUIN. Then I am opposed to the amendment for the reason that it specifies how the five-eighths bushel hamper shall be made. Gentlemen, you will understand that in California they make the five-eighths bushel hamper out of a kind of wood that is native to California and easy to obtain there. In Louisiana they make the hamper out of wood that is native there, and the same thing in Mississippi. This committee amendment would make the hamper costly and inconvenient and hard to get in some sections where they grow fruits and vegetables. I take it that the committee want a bill which, if it passes, will be practical and at the same time carry out the theory on which the committee are acting. If this amendment is agreed to, the producer and the ultimate consumer will pay an exorbitant price for this particular kind of container.

Mr. LAYTON. Will the gentleman answer a question?

Mr. QUIN. I yield to the gentleman from Delaware.

Mr. LAYTON. In view of the high cost of living, in view of the condition of the railroads of the country, in view of the shipper himself, suppose there was fixed by law a certain number of cubic inches in a package, but you did not fix the size and shape of it, you would have a tremendous loss by having a heterogeneous collection of containers, all with the same number of cubic inches, and of such different sizes that in the packing, handling, and transportation you would lose by the process.

Mr. QUIN. The people who are producing the vegetables are the ones who pay the freight. Now, the immediate community where they raise fruit and vegetables is going to furnish a hamper that will occupy the least room inside of the car and at the same time have the fruits and vegetables so packed that they will receive cool air. You can trust the people who are raising the truck. They are going to want a container of reasonable cost. Do you know that the cost of containers has quadrupled in the last six years? A container that cost 4 cents six years ago is costing 25 cents right now in my district. If you put this kind of a bill through and make it law, that container may cost 50 cents next year. So this committee ought to be careful in making specifications that will cost the ultimate consumer of these vegetables, the man who eats them, not only the difference in transportation but the difference in the cost of that container.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. SUMMERS of Washington. Does the gentleman know that the more containers made of any one size the cheaper they are bound to be, cheaper than making them in various sizes?

Mr. QUIN. That depends on the particular section. They do not use the five-eighths of a bushel very much in my country, but where they do use it it would be cheaper. The seven-eighths bushel is used almost universally in Mississippi, and, of course it would be cheaper to the producer and shipper and finally to the ultimate consumer. But you are putting it on the theory that you are going to have a certain kind of wood, a certain kind of nails, a certain thickness to it, a certain number of strips, and that will necessarily make it cost more. How are you going to get around it? You can have your five-eighths of a bushel hamper and you ought to have it, but we ought not to have the restrictions on it that you put on here. I think it would be a costly experiment, and I hope the committee will not adopt these specifications as set forth in the subsection.

Mr. GARRETT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Page 3, line 2, after the word "inches," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Tennessee.

Mr. GARRETT. Mr. Chairman, if this amendment shall prevail, it will leave in the bill a declaration of a standard for the five-eighths bushel hamper. It will not, however, undertake to define the thickness of the planks or the diameter between the staves or any of those other incidental propositions.

If this amendment in the Committee of the Whole indicates that it is favored by the committee, I think it will be followed by the committee, or some one else, offering amendments that would make the same provision as to the other paragraphs in this section.

I think, Mr. Chairman, that there is very great force in the argument which I heard made a few moments ago by the gentleman from Arkansas [Mr. Wingo]. There is no doubt of the constitutional power of the Congress to declare a standard. In my opinion—and I have thought something of it since the bill was up here not very long ago having a similar purpose—there is, to say the least, very grave doubt as to the constitutional right of Congress to go into the question of undertaking to define the size and the material that shall go into the making up of these containers. It seems to me that Congress ought to be content to rest upon its clear, unquestionable constitutional power of declaring a standard and leaving these nebulous or doubtful questions untouched by the Government.

I have not had the opportunity of studying this bill with sufficient care to know just what effect it is going to have upon the vegetable market and upon the shipments of vegetables and fruit by the growers. In the section of the country that I have the honor to represent vegetable growing is a great industry. It is a matter of vital importance to that section. They are required now in the shipment of berries, the shipment of potatoes, and the shipment of peas to stamp on the packages the amount that the package contains. There is no probability of the consumer or the purchaser being defrauded.

The law at present is sufficient for the protection of the consumer. This legislation, to my mind, is but another imposition by the Federal power upon the daily habits and commercial customs of the community and of citizens without any corresponding benefit to the consumers or to the public generally in the results that will be obtained therefrom. I repeat that it is proper to exercise that unquestioned power which Congress has to declare a standard, and when we shall have done that we have done all the Constitution gives us a clear right to do and all that the public needs or demands. [Applause.]

Mr. CONNALLY. Will the gentleman yield?

Mr. GARRETT. I will.

Mr. CONNALLY. I would like to ask the gentleman if under the interstate commerce clause we would have the power to make it unlawful to manufacture these crates in the sizes that are condemned by this bill.

Mr. GARRETT. I do not think so. Perhaps we might have the power to prevent a shipment in interstate commerce.

Mr. CONNALLY. I mean outside of the commerce power we would not have any power to prohibit the manufacture and sale?

Mr. GARRETT. I do not think so, not even under the interstate commerce clause. I think the whole thing must rest on the clause that Congress shall have the power to standardize weights and measures.

Mr. LAYTON. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. LAYTON. I do not undertake to interpret the meaning of the constitutional provision, but is not there a provision for regulating commerce?

Mr. GARRETT. Regulating commerce between the States, and so forth.

Mr. LAYTON. Congress has the power to regulate commerce.

Mr. GARRETT. Interstate commerce, certainly.

Mr. LAYTON. Might not it have the power of regulation on the ground of great benefit to the public by regulating the size of the packages as well as the contents for the purpose of benefiting the roads and the shippers?

Mr. GARRETT. I do not think so. At any rate the bill is not predicated upon the commerce clause of the Constitution, but on the other provision of which I spoke.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I doubt the advisability of this Congress undertaking to describe how these containers shall be built, except as Congress prescribes their capacity, as the two lines on this page describe the number of cubic inches which must constitute the five-eighths bushel hamper. It occurs to me, listening to what the gentleman from Delaware says, that Congress has the right to control interstate commerce, that this bill is not based on that portion of the Constitution at all. This is establishing standards to be applied all over the country, in every locality and community throughout this country, where it will be the law if this bill be passed. After the bill becomes law, the manufacturer and user will find that the inside top hoop must be one-eighth of an inch thick; they will find that each stave shall be not less than one-ninth of an inch thick; and that the bottom piece shall be not less than five-eighths of an inch thick. Aside from the advisability of enacting such legislation as that, I very much doubt the power of Congress to enact it. In that respect I believe with the gentleman from Tennessee [Mr. GARRETT], and if it seems advisable, if we have the power, to say anything about the material of which the container shall be built, if it seems advisable to say that some of these parts shall be so thick, we certainly ought to say that they shall be not less than so thick, because we are considering only the inside capacity, and if the inside capacity meets the requirements, I do not know why we should say that the walls should be only so thick. Supposing the bottom piece is found to be six-eighths of an inch thick, why should the law say that it should be only five-eighths of an inch thick and make it a crime if it is one-eighth of an inch thicker? It makes it stronger. The interior capacity is prescribed; therefore nobody can be deceived as to the quantity of food products it contains. The interior capacity is there; that requirement can not be evaded. It is the outside of the container, the outside mold, that is affected if the material is too thick.

Mr. ANDERSON. Mr. Chairman, I dislike very much to find myself in disagreement with the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Michigan [Mr. McLAUGHLIN], because I have the highest opinion of the wisdom and sagacity of both of them, but it seems to me that if the amendment offered by the gentleman from Tennessee be adopted the purposes to be served by this bill will be entirely destroyed. The purpose of this bill is to prevent fraud, and fraud will not be prevented by simply providing that a five-eighths bushel basket shall contain a certain number of cubic inches. We recently had before the Committee on Agriculture, of which I have the honor to be a member, a bill which related to the use of packages which were made in a shape or form such as to deceive the purchaser. The testimony before that committee shows, I think, beyond any dispute whatever, that it is possible to take two bottles or two baskets or two boxes of exactly the same cubical content and make them in such form as to deceive the purchaser as to the quantity of the contents. You can take two baskets of different shapes, which may contain exactly the same number of apples or tomatoes of the same size, and yet to the purchaser one of them will seem very much larger than the other, and the purchaser will thereby be deceived. One of the purposes of this bill is to prevent that very thing.

Mr. GARRETT. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. GARRETT. Does not the law now require that the contents shall be stamped on each package?

Mr. ANDERSON. As to certain things I think that is so, but not as to everything.

Mr. GARRETT. I know that in the case of sweet potatoes—yams—that is the law, because people down in my country very innocently got into trouble because they did not stamp the contents.

Mr. ANDERSON. The gentleman is probably right about that, but the testimony before us indicated that notwithstanding the fact that as to those packages that were designated as containing 2 ounces or 4 ounces, or 6 pounds or 10 pounds, the shape

of them nevertheless led the purchaser to believe that he was getting more than he actually got.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. DEMPSEY. I just wanted to ask the gentleman one question which I think he ought to cover in his argument. Is there not this danger in prescribing the precise thickness, that you are going to add, in these days of exceedingly high-priced lumber, in all its varieties, very greatly to the enormous cost of the container to-day, and consequently will not this bill, if passed in the present form, absolutely limit you to a lumber container and exclude all composite boxes to which the trade is having recourse to-day in its efforts to economize?

Mr. ANDERSON. I do not think so myself, and if that were true some of the manufacturers of these boxes and users of these containers who were before the committee would undoubtedly have raised that question. Entirely aside from that particular phase of the proposition, there is a general provision in the bill which authorizes the Secretary of Agriculture to establish tolerances, and if he should find that it is desirable to permit the staves to be somewhat thicker or thinner than provided in this act, he would have that power under the permission to establish tolerances, in my judgment.

The gentleman from Tennessee raises the constitutional question with respect to this provision.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. In a moment. I am inclined to think that the gentleman from Tennessee is correct in that position. That is to say, I think the establishment of the number of cubic inches in a five-eighths bushel basket is a matter of establishing a standard, but when you come to say that the staves shall be so thick, and the bottom so thick, and that the staves shall be so far apart, it seems to me that the only possible chance of sustaining that proposition is upon the theory of a regulation of commerce, and that this bill does not contain any provision which does limit the operation of this act to those baskets or containers which do go into interstate commerce. That is a matter, however, which can be corrected, and I hope will be corrected, when we reach the appropriate section. I yield to the gentleman from Virginia.

Mr. MONTAGUE. Mr. Chairman, I approve the general purposes of the bill, but its details I fear will not only confuse legislators but will be almost impossible of execution in the operation of commerce.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONTAGUE. For example, on page 2 of the bill, it is provided that the inside top hoop shall be one-tenth of an inch thick, and so forth. Why should Congress prescribe the thickness of an inside top hoop of a box, basket, or other container? This contemplates a wooden hoop, I take it.

Mr. ANDERSON. I imagine so.

Mr. MONTAGUE. Do we not know that a metal hoop, such as a wire hoop and an iron hoop, is now used, and I am told that one-sixteenth or one thirty-second of an inch of such material gives all the tensile strength necessary?

In addition, we do now know what will be the character of the materials out of which baskets and boxes must be made in the next two or three years, and therefore should Congress project such an iron-clad detail into the future? Should we not give some play to the ingenuity, the necessities, and inventions of the people who carry on the commerce of the country? Will not the exigencies of trade inexorably compel people who engage in it to adopt the proper materials out of which to manufacture these boxes and baskets?

Mr. ANDERSON. What the gentleman says may have some force, but the fact still remains that you can not protect the consumer of the articles which come in these boxes unless you do specify in great detail the character and the dimensions of the material which is to be used in the manufacture. You could take a basket with a one-half-inch bottom and put in a 2½-inch bottom, and make a one-half-bushel basket look like a five-eighths basket.

Mr. MONTAGUE. But I am addressing my remarks to the material out of which these containers must be made.

Mr. ANDERSON. There is nothing that specifies the material.

Mr. MONTAGUE. Why should we prescribe the material at all? And why should we prescribe a character of material to which perhaps you can not conform, or, if so, for only a few years?

Mr. ANDERSON. There is not anything that requires a basket to be made out of any particular material—

Mr. MONTAGUE. The bill requires that the top hoop shall be one-tenth of an inch thick.

Mr. ANDERSON. But that does not require it to be made of wood.

Mr. MONTAGUE. But why require a wood hoop to be one-tenth of an inch thick? And supposing there is no wood out of which to make it, what becomes of trade and commerce then? What does Congress know, in the very nature of things what can Congress know, of such mechanical details?

Mr. ANDERSON. The gentleman should not make such an assumption as that.

Mr. MONTAGUE. I am not making an assumption; I am reading the text of the bill.

Mr. ANDERSON. The gentleman is.

Mr. MONTAGUE. I am reading the mandate of the bill. Congress should confine its power to legislation and not extend it to administrative regulations. We should be cautious in our loading legislation with impracticable, if not impossible, requirements.

Mr. BROOKS of Pennsylvania. I would state that containers are on the market now made of metal.

Mr. ANDERSON. For the shipment of this class of articles?

Mr. WINGO. Certainly.

Mr. McLAUGHLIN of Michigan. We find in the bill that the Secretary may, if he finds it necessary in his regulations, prescribe specifically with respect to the material used.

Mr. ANDERSON. Well, I was not discussing that section.

Mr. McLAUGHLIN of Michigan. It arose in the colloquy with the gentleman from Virginia [Mr. MONTAGUE].

Mr. ANDERSON. That is very true, and when we get to that section we will discuss it, but I am discussing this section now. I rose to discuss the argument advanced by the gentleman from Tennessee and the gentleman from Michigan, and I hope I have done it successfully.

Mr. DEMPSEY. Mr. Chairman and gentlemen, western New York is a center for the production of food and vegetables, and in the past few years we have seen apple barrels go from 28 or 30 cents until to-day they are selling at a dollar and ten cents. I take it that this bill, while it does not say that this container shall be made of wood, really, from the specifications, restricts the material to wood, and the gentleman from Virginia very aptly asks, "Supposing we can not find the wood, what, then, is to become of the produce of the country?" That is not an impossible situation at all, since the enormous advance in the price of the barrel has grown out of the shortage of wood. There is not a single variety of lumber that has not gone up about four times the price it was even a year or 18 months ago, and we are now facing an actual famine. It is a practical condition that confronts us. As the gentleman from Virginia very well suggested, we sit down here, a body of men not experts in the making of these packages, and we attempt to prescribe to the manufacturers the material they shall use and precisely how they shall use it, and by doing that, first, we exclude from use all but one material, a material of which we are likely to have a shortage; and, second, we exclude the manufacturing community, as the gentleman from Virginia very aptly and very well said, from devising any better or simpler or cheaper or more expeditious way of making a basket or making a container, whatever it may be.

Mr. MACGREGOR. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. MACGREGOR. For the information of the gentleman, who comes from the same district practically, I was informed by a man who was interested in baskets within a very short time we will not be able to secure baskets for the Niagara fruit district this fall because of the shortage of wood and wire.

Mr. DEMPSEY. I understand that same thing. I understand men have contracted some months ago for baskets and to-day the situation is that you can not find anybody who will give you a contract to deliver baskets made of wood. They are beginning in my district to make baskets of composite.

Mr. CONNALLY. I would like to ask the gentleman what becomes of all these baskets that do not conform to these sizes? Will not the passage of this bill further restrict the supply of baskets by outlawing all of the baskets now in the business that do not conform to this bill?

Mr. DEMPSEY. I think that objection is taken care of by a subsequent clause in the bill, where they say this shall not take effect until six months after November next. But we have the next fruit crop to deal with, and we should not bind down these fruit and vegetable growers to a basket which they may find it impossible to obtain. This may be a very, very serious thing. We are legislating here in an iron-clad way, and we may

find that when the season comes we have passed a law which it is impossible to live up to in a practical way, and so it might become impossible to ship our fruits and vegetables.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. MOORE of Virginia. I happen to know, from having been counsel in certain cases, that even before the war began there was a great shortage of material from which containers could be manufactured. Some had even gone to the extent of using the waste and scrap accumulated at the sawmills. I have not the slightest doubt that the point suggested by the gentleman is one that ought to be very gravely considered to determine whether or not we are legislating with complete information and with full appreciation of conditions as they actually exist.

Mr. DEMPSEY. I think the gentleman's suggestion is entirely right. Let me say a word. I have not any question but that the committee is animated by the very best and very highest purpose, and I sympathize with that purpose, and all I say is that they can reach their end, as the gentleman from Michigan [Mr. McLAUGHLIN] suggests, by specifying the number of cubic inches, and if it is not clear that such a law already exists provide for stamping the quantity on the outside of the container.

Mr. WOODS of Virginia. Will the gentleman yield?

Mr. DEMPSEY. I surely will.

Mr. WOODS of Virginia. If an amendment were added containing the words "if made of wood," so that it would not eliminate the baskets made of paper or wire, and would not confine it, as the committee evidently intended, to baskets manufactured exclusively out of wood, would not that answer your objection?

Mr. DEMPSEY. I do not think it would quite, because you would be in danger then of prescribing conditions that might be impossible.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. As I said to the committee a moment ago, I am in entire sympathy with the purposes of this bill. I want to reach the same point that they desire to reach, and all that I suggest in relation to it is that we shall not pass legislation here that shall be so detailed, shall be so specific, shall go into such particulars, as to make the accomplishment of what we have in mind not alone impossible, but which would accomplish something we do not desire to do at all, and that is to make shipment of these products impossible. And it does seem to me, if the suggestion of the gentleman from Michigan is adopted, that we prescribe simply the cubic contents and have a provision that there shall be stamped upon each package its contents, we will have accomplished all that we can accomplish and all that it is safe to attempt to accomplish in regard to this legislation at this particular time.

Mr. LAYTON. Is the gentleman speaking by reason of protest on the part of manufacturers?

Mr. DEMPSEY. The only protests I have had, if the gentleman please, were not in regard to this bill, as to which I do not think my people are informed, but in regard to the apple-barrel bill, which passed some time ago.

Mr. LAYTON. I only wanted to bring out this fact—

Mr. DEMPSEY. But I am very familiar with this question of the manufacture of fruit packages, because I have been interested in the raising of fruit myself.

Mr. LAYTON. Mr. Chairman, I ask unanimous consent for a minute myself in order to make a statement. I am familiar with the fact that numbers—I imagine a hundred—of different manufacturers who are in this business and who manufacture millions of these containers are themselves anxious to have these standard containers.

Mr. DEMPSEY. I have no question about that. No doubt they want the standard container, but they do not want specifications as to the way of manufacturing it prescribed. [Applause.]

Mr. RAINEY of Alabama. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GARD. Mr. Chairman, is it not the practice to make that request in the House instead of in the committee?

The CHAIRMAN. It is, unless there is no objection.

Mr. VESTAL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12350) to fix standards for hampers, round stove baskets, and splint baskets for fruits and vegetables, to establish a standard box for apples, and for other purposes, and had come to no resolution thereon.

Mr. BROOKS of Pennsylvania rose.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. WALSH. Will the gentleman withhold that a moment, so that the gentleman from Pennsylvania may submit a request?

Mr. BLANTON. I will withhold it for a moment.

Mr. BROOKS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. RADCLIFFE. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BLANTON. Mr. Speaker, I renew my point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present.

ADJOURNMENT.

Mr. VESTAL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Thursday, April 22, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SANFORD, from the Committee on Military Affairs, to which was referred the bill (H. R. 13234) to correct the military record of Joseph Donnelly, reported the same without amendment, accompanied by a report (No. 859), which said bill and report were referred to the Private Calendar.

Mr. BABKA, from the Committee on Claims, to which was referred the bill (H. R. 11066) for the relief of the Shipowners' & Merchants' Tugboat Co., reported the same without amendment, accompanied by a report (No. 860), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TOWNER: A bill (H. R. 13723) providing for the loan of Army equipment to the Boy Scouts of America for their summer encampment at Creston, Iowa; to the Committee on Military Affairs.

By Mr. BOX: A bill (H. R. 13724) to authorize the construction of a bridge across the Sabine River at or near Orange, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER: A bill (H. R. 13725) to provide for the appointment of a Federal coal commissioner, to define his powers and duties, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TILSON (by request): A bill (H. R. 13726) to regulate the shipment in interstate commerce of milk and cream and for other purposes; to the Committee on Agriculture.

By Mr. POU: Resolution (H. Res. 528) providing suitable desks in the Hall of the House of Representatives for the Members of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. KELLY of Pennsylvania: Resolution (H. Res. 529) authorizing a special committee of the House to make an investigation regarding the distribution of sugar; to the Committee on Rules.

By Mr. JUUL: Joint resolution (H. J. Res. 342) to provide additional compensation for employees of the Postal Service and making appropriation therefor; to the Committee on the Post Office and Post Roads.

By Mr. HUMPHREYS: Joint resolution (H. J. Res. 343) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. TINKHAM: Memorial of the Legislature of Massachusetts relative to the action of the United States Government in respect to certain Italian boundaries; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 13727) granting an increase of pension to P. M. Gaskill; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 13728) for the relief of the legal representative of the estate of William H. Roper, deceased; to the Committee on Claims.

By Mr. GANLY: A bill (H. R. 13729) granting an increase of pension to William Riley; to the Committee on Invalid Pensions.

By Mr. HUSTED: A bill (H. R. 13730) granting a pension to Emily W. Johnson; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 13731) granting an increase of pension to John Hartzell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13732) granting a pension to Nathaniel Bittner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13733) granting a pension to Frederick Dupont; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 13734) granting a pension to Antonette Dierken; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 13735) granting an increase of pension to Thomas C. Rodgers; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 13736) granting a pension to Susanna Spencer; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 13737) granting a pension to Taylor Hall; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 13738) granting a pension to Sarah Sipes; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13739) granting a pension to George W. Jackson; to the Committee on Invalid Pensions.

By Mr. WASON: A bill (H. R. 13740) granting an increase of pension to Rebecker G. Foot; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 13741) granting an increase of pension to Warner M. Ellis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3113. By the SPEAKER: Petition of Wooden Box Manufacturers' Association of New York, favoring a revision of the anti-trust laws; to the Committee on the Judiciary.

3114. Also, petition of H. H. Merrick, president Mississippi Valley Association, of St. Louis, opposing the Comer amendment to the Agricultural appropriation bill; to the Committee on Agriculture.

3115. By Mr. BOWERS: Petition of United Brethren Church, Burlington, W. Va., protesting against universal military training; to the Committee on Military Affairs.

3116. By Mr. DYER: Petition of Los Angeles (Calif.) post-office employees, favoring enactment of legislation for the revision of salaries in the Post Office Department; to the Committee on Reform in the Civil Service.

3117. Also, petition of National Printing & Engraving Co., of St. Louis, Mo., opposing the passage of House bill 12976; to the Committee on Ways and Means.

3118. Also, petition of Joseph T. Hague, of Elizabeth, N. J., favoring the passage of House bill 9029; to the Committee on the Judiciary.

3119. Also, petition of the United Construction Co. and Wimmer Contracting Co., of St. Louis, Mo., favoring the passage of House bill 13390; to the Committee on Naval Affairs.

3120. Also, petition of the Morey Mercantile Co., Denver, Colo.; Alton Mercantile Co., Enid, Okla.; the Jett & Wood Mercantile Co., Wichita, Kans.; A. H. Perfect & Co., Fort Wayne, Ind.; and the Austin-Taylor Grocery Co., Austin, Tex., favoring the passage of House bill 263; to the Committee on the Judiciary.

3121. Also, petition of Missouri State Dental Association, protesting against the proposed tariff on dental instruments; to the Committee on Ways and Means.

3122. Also, petition of Hawarth & Dewhurst (Ltd.), of Pittsburgh, Pa., favoring legislation making commercial bribery a crime; to the Committee on the Judiciary.

3123. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, of Washington, D. C., favoring the enactment of the Capper-Hersman bill; to the Committee on Agriculture.

3124. By Mr. EMERSON: Petition of transportation committee of the Cleveland Chamber of Commerce, in relation to the coal situation and car shortage; to the Committee on Interstate and Foreign Commerce.

3125. By Mr. FULLER of Illinois: Petition of Local Union No. 303, United Mine Workers of America, Orient, Ill., favoring amnesty for political prisoners and the repeal of the espionage law; to the Committee on the Judiciary.

3126. Also, petition of the Chicago Carton Co., favoring the repeal of the excess-profits tax, etc.; to the Committee on Ways and Means.

3127. Also, petition of the Women's Auxiliary of Walter Craig Post, American Legion, Rockford, Ill., relative to the bonus for the ex-service men and women of the World War; to the Committee on Ways and Means.

3128. Also, petition of the Business Men's Association of Peru, Ill., regarding the unsatisfactory postal service, etc.; to the Committee on the Post Office and Post Roads.

3129. Also, petition of the United Indian War Veterans, for increase of pension; to the Committee on Pensions.

3130. By Mr. GALLIVAN: Petition of Roger Casement Branch, Friends of Irish Freedom, of Boston, Mass., favoring the freedom of Ireland; to the Committee on Foreign Affairs.

3131. Also, petition of Howes Bros. Co. and Purity Oats Co., of Boston, Mass., regarding taxation; to the Committee on Ways and Means.

3132. Also, petition of Women's Educational and Industrial Union of Boston, Mass., regarding legislation for State censorship of motion pictures; to the Committee on Ways and Means.

3133. Also, petition of American Legion, Ludlow Post, No. 52, of Ludlow, Mass., and 10 other citizens of Boston, Mass., favoring cash bonus for soldiers; to the Committee on Ways and Means.

3134. Also, petition of Federal Employees' Local, of Boston, Mass., favoring retirement for civil-service employees; to the Committee on Reform in the Civil Service.

3135. Also, petition of F. L. & J. C. Codman Co., Joseph E. Sager, George Mortimer & Co. (Inc.), opposing the Steagall bill, H. R. 12379; to the Committee on Banking and Currency.

3136. By Mr. HILL: Petition of the city Council of Spokane, Wash., for the enactment of House bill 10518, to create a Federal urban mortgage bank; to the Committee on Banking and Currency.

3137. By Mr. JOHNSTON of New York: Petition of Wooden Box Manufacturers' Association of New York, favoring a revision of the antitrust laws; to the Committee on the Judiciary.

3138. By Mr. KELLEY of Michigan: Petition of Mrs. J. G. Rullison and 70 other residents of Lansing, Mich., in favor of legislation to provide maternity and infant-welfare aid; to the Committee on Interstate and Foreign Commerce.

3139. By Mr. LINTHICUM: Petition of Emory L. Stinchcomb, Baltimore, Md., relative to the claims against the United States Railroad Administration; to the Committee on Interstate and Foreign Commerce.

3140. Also, petition of Hynson, Westcott & Dunning, Baltimore, Md., relative to House bill 12976; to the Committee on Ways and Means.

3141. Also, petition of Morgan Millwork Co., Baltimore, Md., protesting against House bill 12379, also House bill 12646; to the Committee on Banking and Currency.

3142. Also, petition of Baltimore Chapter of the Southern Association of College Women, favoring legislation creating a Federal department of education; to the Committee on Education.

3143. Also, petition of Charles D. Jones, L. W. Passano, Montaucon Post, American Legion, and Burton H. Erdman, all of Baltimore, Md., favoring enactment of legislation granting a bonus to ex-service men; to the Committee on Ways and Means.

3144. Also, petition of J. Arthur Nelson, Baltimore, Md., relative to the repeal of certain sections in the revenue act of 1918; to the Committee on Ways and Means.

3145. Also, petition of the Maryland League for National Defense, Baltimore, Md., urging universal military training, etc.; to the Committee on Military Affairs.

3146. By Mr. MERRITT: Petition of executive committee of the Connecticut Bankers' Association, opposing the passage of the Steagall bill, H. R. 12379; to the Committee on Banking and Currency.

3147. By Mr. O'CONNELL: Petition of Navy Legal Aid Association of New York, favoring immediate action by the House on the Wadsworth bill; to the Committee on Military Affairs.

3148. By Mr. RAKER: Petition of Fred S. Bebergall, department adjutant, American Legion, San Francisco, Calif., urging the passage of House bill 13293; also House bill 13291; to the Committee on Interstate and Foreign Commerce.

3149. Also, petition of Trinity Post, No. 163, Weaverville, Calif., urging the support of the bill giving bonus to the ex-service men of the World War; to the Committee on Ways and Means.

3150. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, of Washington, D. C., urging the support of the Capper-Hersman bill; to the Committee on Agriculture.

3151. By Mr. ROWAN: Petition of Navy Legal Aid Association of New York, favoring immediate action by the House on the Wadsworth bill; to the Committee on Military Affairs.

3152. By Mr. SINCLAIR: Petition of the Playground Club of Kenmare, N. Dak., indorsing the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, April 22, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to our task to-day with thought of the splendid achievements of our fathers, who with brave hearts and unconquerable spirit and devotion to the high principles of justice and reverence toward Thy name laid strong and well the foundations of our national life. We pray that we may, emulating their example, follow on to accomplish that which they so well began. Give us Thy blessing to-day to this end. We ask for Christ's sake. Amen.

The Assistant Secretary proceeded to read the Journal of the proceedings of yesterday, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12460. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union;

H. R. 12824. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union;

H. R. 13138. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916; and

H. R. 13227. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the landing of the Pilgrims.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KAHN, Mr. ANTHONY, Mr. MCKENZIE, Mr. DENT, and Mr. FIELDS managers at the conference on the part of the House.

The message further announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 53 to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, further insists upon its disagreement to the amendment of the Senate numbered 53 to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WOOD of Indiana, Mr. WASON, and Mr. Sisson managers at the further conference on the part of the House.

The message also announced that the Speaker of the House had signed the following enrolled bills:

S. 806. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Iowa Tribe of Indians against the United States; and